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DISORDERS INQUIRY COMMITTEE

1919-1920

REPORT

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CALCUTTA
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1920

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No. 2168.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

Simla, the 14th October 1919.

Resolution.

The Governor General in Council, with the approval of the Secretary of State, has decided to appoint a committee to investigate the recent disturbances in Bombay, Delhi and the Punjab, their causes, and the measures taken to cope with them.

The Government of India have succeeded in securing as President the Hon'ble Lord Hunter, lately Solicitor-General for Scotland and now Senator of the College of Justice in Scotland.

The following have agreed to serve as members :—

(1) The Hon'ble Mr. Justice G. C. Rankin, Judge of the High Court, Calcutta.

(2) The Hon'ble Mr. W. F. Rice, C.S.I., I.C.S., Additional Secretary to the Government of India, Home Department.

(3) Major-General Sir George Barrow, K.C.B., K.C.M.G., I.A., Commanding the Peshawar Division.

(4) The Hon'ble Pandit Jagat Narayan, B.A., Member of the Legislative Council of the Lieutenant-Governor of the United Provinces.

(5) The Hon'ble Mr. Thomas Smith, Member of the Legislative Council of the Lieutenant-Governor of the United Provinces.

(6) Sir Chimanlal Harilal Setalvad, Kt., Advocate of the High Court, Bombay.

(7) Sardar Sahibzada Sultan Ahmed Khan, Muntazim-ud-Doula, M.A., LL.M. (Cantab.), Bar.-at-Law, Member for Appeals, Gwalior State.

The Hon'ble Mr. H. G. Stokes, C.I.E., I.C.S., Secretary to the Government of Madras, has been appointed as Secretary to the committee.

The committee, which will submit its report to the Government of India, is expected to assemble at Delhi about the end of October. It will conduct its inquiries in public, but any part of its proceedings may

be conducted *in camera* if the President considers such a course desirable in the public interest.

Persons who desire to be called as witnesses should apply in writing to the Secretary, care of Home Department, Government of India, Simla, giving their full names and addresses together with a brief memorandum of the points in regard to which they desire to give evidence. It will of course rest with the committee to decide what evidence they will hear.

ORDER.—Ordered that a copy of the above resolution be published in the *Gazette of India* and communicated to all local Governments and Administrations for information.

Also that a copy be forwarded to the Secretary of the committee for information.

W. S. MARRIS,

Secretary to the Government of India.

FROM THE HON'BLE LORD HUNTER,
President, Disorders Inquiry Committee,

TO THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT.

Dated Agra, March 8, 1920.

SIR,

I HAVE the honour to refer to the order of 14th October 1919, by which it was announced that the Governor General in Council had, with approval of the Secretary of State for India, decided to appoint a committee:—

To investigate the recent disturbances in Bombay, Delhi and the Punjab, their causes and the measures taken to cope with them.

The order further stated that I was to act as President, and that the following had agreed to serve as members:—

(1) The Hon'ble Mr. Justice G. C. Rankin, Judge of the High Court, Calcutta.

(2) The Hon'ble Mr. W. F. Rice, C.S.I., I.C.S., Additional Secretary to the Government of India, Home Department.

(3) Major-General Sir George Barrow, K.C.B., K.C.M.G., I.A., Commanding the Peshawar Division.

(4) The Hon'ble Pandit Jagat Narayan, B.A., Member of the Legislative Council of the Lieutenant-Governor of the United Provinces.

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(7) Sardar Sahibzada Sultan Ahmed Khan, Muntazim-ud-Doula, M.A., LL.M. (Cantab.), Bar.-at-Law, Member for Appeals, Gwalior State.

The Hon'ble Mr. H. G. Stokes, C.I.E., I.C.S., had been appointed as Secretary to the committee. On 13th November 1919, he was unfortunately compelled owing to ill-health to resign, and on 24th November 1919 Mr. H. Williamson, M.B.E., I.P., was appointed to succeed him as Secretary.

The committee was expected to assemble at Delhi about the end of October. It was to conduct its inquiries in public, but any part of the proceedings might be conducted *in camera* if the President considered such a course desirable in the public interest.

Persons who desired to be called as witnesses were to apply in writing to the Secretary, care of Home Department, Government of India, Simla, giving their full names and addresses together with a brief memorandum of the points on which they desired to give evidence. It was left to the committee to decide what evidence they would hear.

The committee held their first meeting at Delhi on 29th October when the procedure to be adopted by them was discussed. It was resolved that persons or bodies desirous of offering evidence should be invited to lodge with the Secretary a statement in writing (to be signed by a barrister, advocate, pleader or *vakil*) of the facts which they desired to prove and an outline of the points or contentions which they were prepared to substantiate. The statements were to be accompanied by a list of any witnesses whom it was desired to have examined and a short synopsis of the evidence of each such witness. The committee were prepared to hear applications from the persons or bodies who lodged statements for leave to attend the sittings by a barrister, advocate, pleader or *vakil*. Intimation as to the proposed procedure was duly made in the press.

The committee heard the evidence of witnesses on 8 days at Delhi, on 29 days at Lahore, on 6 days at Ahmedabad and of 3 days at Bombay. All the witnesses, with the exception of Sir Michael O'Dwyer, General Hudson, Mr. Thompson and Sir Umar Hayat Khan, who gave their evidence *in camera*, were examined in public.

At Delhi the All-India Congress committee appeared by counsel, cross-examined witnesses put forward by the authorities, and called witnesses of their own. At Ahmedabad there was a similar appearance on behalf of the Gujarat *Sabha*.

In connection with the inquiry at Lahore on 12th November 1919, I received a communication from the President of the All-India Congress committee that a resolution had been come to by that body that "in view of the situation created by the refusal of the Government to accede to the request for the temporary release on adequate security of the principal Punjab leaders at present undergoing imprisonment, the committee regrets that it finds it impossible to co-operate with the Disorders Inquiry Committee by appearing before it and tendering evidence on behalf of the people." It was suggested in the letter that it was still possible to remove the *impasse* if the committee could see its way to recommend the release, for the period of the inquiry, of the principal leaders under such security as might appear adequate to the Government.

The suggestion made in this letter was considered by the committee, who were unanimously of opinion that it was not within our province to review the discretion of the local Government as regards the release

of prisoners. A reply to this effect was sent by the Secretary to the above communication. In this letter there is the following passage :— "If, in the course of their inquiry, it should appear that the evidence of any persons now in custody is necessary to throw light on the causes of the disturbances or the measures taken to deal therewith such persons will be called before the committee, and, in this event, the committee do not doubt that the Government of the Punjab will place no obstacles in the way of their appearance. The committee observe indeed from the communication of the Private Secretary to the Lieutenant-Governor, of which a copy is annexed to your letter, that an assurance has been conveyed to you on this point and also an undertaking that proper facilities will be allowed for consultation between persons in custody and counsel engaged in the enquiry which has been entrusted to the committee and Lord Hunter's committee would expect that in this matter the Government would afford the fullest reasonable facilities. Lord Hunter has independently suggested to the Punjab Government that this should be done. Beyond this Lord Hunter's committee feel that they cannot properly make any further suggestions." I may add that the suggestions made by me on the above lines were all agreed to by the Punjab Government. In my opinion no further concession was necessary to give the Congress Committee the fullest opportunity for placing before us any evidence relevant or material to the inquiry.

The All-India Congress committee did not appear before us at any of the sittings in Lahore. We, however, gave ample opportunity for the presentation of non-official evidence in terms of the notice which we had issued as to procedure. In fact a number of witnesses sent statements to us and were examined as to complaints about the action taken by the officials during the period of the disturbances.

On 30th December after the conclusion of our sittings in Lahore I received a telegram from Pandit Malaviya in the following terms :— "As principal leaders have been released in pursuance of Royal Proclamation my committee is now in a position to lead non-official evidence relating Punjab before Disorders Inquiry Committee, in the event acceptance of my committee's suggestion it is assumed that official witnesses will be recalled for cross-examination when necessary. Wire reply." I also had a communication to a similar effect from some of the imprisoned leaders who had been released. It appeared to me that the request to re-open the inquiry was in the circumstances quite unreasonable and the Secretary, at my request, sent a reply in the following terms :—"In view of fact that the committee has sat at Lahore for over six weeks and has now completed the hearing of evidence there, that full opportunity was given for the presentation of non-official evidence and that it was open to your committee to cross-examine witnesses during that period, Lord Hunter regrets that he is unable to accept the suggestion of your committee." The course which I thus took was subsequently approved by the committee. I may say that I had the less reason to regret that this was the only course open, as the evidence, which had been given, appeared to me to contain material for our reaching

a decision upon the different points coming within the scope of our inquiry—it being no part of our duty to re-try individual cases.

In cŏnclusion, I have, on behalf of the committee, to express our thanks for the valuable assistance rendered to us by Mr. Stokes and afterwards by Mr. Williamson as Secretary.

I have the honour to be,

SIR,

Your most obedient servant,

WILLIAM HUNTER,

President.

No. 2.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

POLITICAL.

To

THE RIGHT HONOURABLE EDWIN MONTAGU,

His Majesty's Secretary of State for India.

Dated Simla, the 3rd May, 1920.

SIR,

WE submit for your information and for any orders His Majesty's Government may desire to issue the report which was presented on the 8th March 1920 by the Disorders Committee, together with our review of the report and our conclusions thereon. In the ordinary course the report would have been published with a resolution of the Government of India in the Home Department, but we consider the subject so important that after discussion with you we have decided that it is best to communicate to you our views and findings on the report for the information of His Majesty's Government. We desire to add that our views and conclusions are unanimous, except on those points where the dissent of our Hon'ble Colleague, Mr. Shafi, has been expressly indicated. We may also state that our Hon'ble Colleague, Sir George Lowndes, now on leave, concurred in all the conclusions we had reached up to the time of his departure.

2. In Resolution no. 2168, dated the 14th October 1919, the Governor General in Council with the approval of the Secretary of State appointed a Committee to investigate the disturbances in Bombay, Delhi and the Punjab, their causes, and the measures taken to cope with them. The Hon'ble Lord Hunter, lately Solicitor-General for Scotland and now Senator of the College of Justice in Scotland, was appointed President of the Committee, which consisted of the following Members :—

(1) The Hon'ble Mr. Justice G. C. RANKIN, Judge of the High Court, Calcutta.

(2) The Hon'ble Mr. W. F. RICE, C.S.I., I.C.S., Additional Secretary to the Government of India, Home Department.

(3) Major-General Sir GEORGE BARROW, K.C.B., K.C.M.G., I.A., Commanding the Peshawar Division.

(4) The Hon'ble Pandit JAGAT NARAYAN, B.A., Member of the Legislative Council of the Lieutenant-Governor of the United Provinces.

(5) The Hon'ble Mr. THOMAS SMITH, Member of the Legislative Council of the Lieutenant-Governor of the United Provinces.

(6) Sir CHIMANLAL HARILAL SETALVAD, KT., Advocate of the High Court, Bombay.

(7) Sardar Sahibzada SULTAN AHMED KHAN, MUNTAZIM-UD-DOULA, M.A., LL.M. (Cantab.), Bar.-at-Law, Member for Appeals, Gwalior State.

The Committee began its sittings on the 29th October 1919 and after hearing evidence at Delhi, Lahore, Ahmedabad, and Bombay finished its labours in the first week of March 1920, when its report was presented to the Government of India.

Before reviewing the findings of the Committee we desire to make some preliminary observations regarding the scope of the enquiry, the procedure followed by the Committee in recording evidence, and the general character of its conclusions.

3. In order to obtain a general view of the character of the disturbances and of the scope of the enquiry it will be useful to explain briefly the relative geographical position of the chief centres of disorder and to refer to a few salient dates which indicate the sequence of events in point of time. It was at Delhi—the Capital of India and from its historical and commercial importance a determining factor of considerable weight in the attitude of the rest of Northern India—that disturbances first occurred on the 30th March. They were of such a character as required the use of the military to restore order and before this was achieved it became necessary to fire twice on the mob. On the 10th April violent rioting took place at Amritsar and Lahore in the Punjab, and at Ahmedabad in the Presidency of Bombay, and distinct unrest manifested itself in a minor degree at places as far distant as Calcutta and Bombay. Lahore is a city of 230,000 inhabitants and the capital of the Punjab. Amritsar which is 20 miles east of Lahore is a town of more than 150,000 inhabitants and of great commercial importance. Ahmedabad has a population of roughly 280,000 and is an industrial town where 78 mills are located. The distances respectively of Lahore, Amritsar and Ahmedabad from Delhi are roughly 300, 280 and 540 miles. The situation in the Punjab after the 10th April rapidly deteriorated and martial law was proclaimed on the 15th April in the districts of Lahore and Amritsar, and shortly after in three other districts. About two weeks later a thunder cloud on the frontier burst and the mobilization of troops for the Afghan war began on the 4th May. This seriously affected the general situation in the Punjab and it was not found possible to withdraw martial law from all the districts concerned before the 12th June nor from railway lands till a later date. These were briefly the events

which with their causes and consequences formed the subject matter of the Committee's enquiry.

4. The next point to which the Government of India wish to advert is the decision of the All-India Congress Committee to abstain from presenting evidence before the Committee of Enquiry. As explained by Lord Hunter in his letter of the 8th March forwarding the report of the Committee, all persons desirous of giving evidence were invited to submit their names and addresses, together with a brief memorandum of the points on which they desired to give evidence, and it was left to the Committee to decide what evidence they would hear. Lord Hunter has described the circumstances in which the Congress Committee declined after the 12th November further to assist the Committee of enquiry by appearing before it and tendering evidence, the offer which the same body made on the 30th December to produce their evidence and re-open the enquiry, and the reasons which led Lord Hunter to reject that offer. We believe that Lord Hunter's account of the matter will convince all reasonable people that his decision was fully justified. The point, however, which we wish to emphasize—and it is one which was present to Lord Hunter's mind also—is this, that the material placed at the disposal of the Committee and the evidence laid before it covered the whole field of enquiry. The official witnesses fully disclosed all they knew regarding the events in which they had participated and placed before the Committee all correspondence and other documentary evidence which had any bearing on the nature of the outbreak, the suppression of the disturbances, or the administration of martial law. It is a matter of regret to Government that this was not supplemented by the additional evidence which the Congress Committee had collected and that the evidence which has since been published by that body has not therefore been subjected to examination by an impartial tribunal. They are doubtful however whether it would have made any substantial difference to the general picture placed before the Committee, although it might have thrown further light on particular incidents. With regard to the firing at Jallianwala Bagh, on which the attention of the public both at home and in India has been so largely concentrated since December last, the Committee had the most ample materials for judgment and further evidence would have contributed nothing to their knowledge of the facts.

5. The Committee have now submitted their recommendations in the form of a majority and minority report. The majority report is signed by the President and four members of Committee, Mr. Justice Rankin, General Barrow, and Messrs. Rice and Smith. The minority report is signed by Sir C. H. Setalvad, Pandit Jagat Narayan and Sahibzada Sultan Ahmed Khan. While two reports have been submitted, it is a matter of satisfaction to the Government of India that most of the findings of fact are unanimous and that in spite of differences of opinion as to the conclusions to be deduced therefrom there is considerable common ground in this respect also. That common ground covers the whole of the events in Delhi and the Bombay Presidency. It also

covers much of the narrative of events and the causes of the disturbances in the Punjab. Nor is the divergence in the Punjab findings altogether basic. It is partly one of degree, partly one of essential difference. Certain measures adopted in the suppression of the disturbances and the administration of martial law are condemned in both reports but with varying degrees of severity. This remark applies in particular to the joint condemnation of the firing at Jallianwala Bagh. The most important point on which there is an essential difference of opinion relates to the introduction of martial law in the Punjab. While the majority find that a state of rebellion existed, necessitating or justifying the adoption of that measure, the minority consider that the disorders did not amount to rebellion and that the disturbances might have been suppressed and order restored without abrogating the control of the civil authorities or calling in military force save as auxiliary to the civil power.

6. It will be convenient to explain at this stage the arrangement which has been followed in the reports. The first seven chapters of the majority report are devoted to accounts of the disturbances in Delhi, the Bombay Presidency, and the Punjab districts of Amritsar, Lahore, Gujranwala, Gujrat and Lyallpur. In each case the majority briefly review the disturbances and record their findings on the propriety of the measures adopted to check them and to restore order. In Chapter VIII they describe the widespread attacks on communications which have an important bearing on the general nature of the disorders. In Chapter IX they discuss the causes of the disturbances with more particular reference to the Punjab. Chapter X contains a brief description of the stages in the introduction of martial law. In Chapter XI the reasons for the introduction and continuance of martial law are considered, while Chapter XII is devoted to a criticism of the administration of martial law.

The minority report follows a somewhat different plan of arrangement. Chapter I sets forth the general extent of the minority's agreement or disagreement with the findings of the majority. The nature and causes of the disorders are discussed in Chapter II. The justification for the introduction and the continuance of martial law in the Punjab is examined in Chapter III. Chapter IV is devoted to the firing at Jallianwala Bagh. The administration of martial law is discussed in Chapter V, the use of armoured trains and aeroplanes in Chapter VI and the working of the martial law courts in Chapter VII.

Although it might have been more convenient to review at the outset the findings of the Committee regarding the causes and nature of the disturbances, we are reluctant to depart from the general plan of the majority report, as any such departure would increase the difficulty of comparing its findings with those of the minority. We accordingly propose to examine the report chapter by chapter, to state our conclusions on the findings of the majority and minority, more particularly where these differ, and finally to explain the action which in our judgment should be taken on the report.

7. Chapter I deals with the disturbances at Delhi. The Committee are unanimous in finding that the authorities handled the situation in an adequate and reasonable manner, that there was no provocative or unnecessary display of military force, and that the firing was justified on the three occasions on which it was found necessary to resort to this extreme measure. The actual collisions between the police and mobs are found to be the bye-products of the *Satyagraha* movement. The majority recognize that Mr. Gandhi's visit to Delhi after the first outbreak, if not prevented, would have been a serious embarrassment to the executive authorities there and might well have proved a source of great danger. The minority, while doubtful of the expediency of his exclusion and while thinking that his presence might have had a beneficial result, do not deny the possibility of developments endangering the public peace. The only criticism passed by the Committee on the measures adopted by the local authorities is that the Deputy Commissioner made a mistake in enrolling a number of leading citizens as special constables, though, as they point out, these persons were not called on to render any services.

We accept these conclusions and have perused with satisfaction the commendation which has been bestowed by the Committee on the handling of the situation by the local officers. We do not consider that any blame attaches to the Deputy Commissioner for his appointment of special constables, as he acted in accordance with the established practice. We have, however, decided to address local Governments on the question whether the orders now obtaining on the subject in the various provinces require modification or revision. This is the more necessary as it appears that leading citizens were enrolled as special constables at other disturbed centres besides Delhi.

The Government of India consider that the events described in this chapter have an important bearing on the rest of the report, for they were the first fruits of the *Satyagraha* movement, the first collision between the forces of order and the adherents of the passive resistance or civil disobedience movement. The behaviour of the crowd on the 30th March, which rendered it necessary for the military and police to fire on two occasions cannot be ascribed to any action taken against Mr. Gandhi or local politicians. Such action has been pleaded in excuse of later mob excesses, but the internment order against Mr. Gandhi was not passed till ten days after the first outbreak of disorders at Delhi.

8. Chapter II gives an account of the disturbances in the Bombay Presidency. They were confined to Ahmedabad City and Viramgam in the Ahmedabad district, to Nadiad in the Kaira district, and to Bombay City. Viramgam is a town of 20,000 inhabitants 40 miles distant from Ahmedabad, and Nadiad, which has a population of 30,000, is 29 miles from the same city. By far the most serious outbreak of disorder occurred in Ahmedabad which is the home of Mr. Gandhi and may be described as the birthplace of the *Satyagraha* movement. The disturbances began on the 10th April as soon as the people of Ahmedabad heard of the action taken against Mr. Gandhi, and were not finally

checked till the 14th, although military assistance was called in from the afternoon of the 10th. It is not necessary to follow the report of the Committee into the details of the disturbances and the measures taken to quell them but it is important to notice that for two days mob law reigned in the city and the excesses committed included two atrocious murders, brutal assaults on Europeans and Government officers, and the total destruction of the courts and other Government buildings. The efforts of the police and the military to protect the city and restore order were not successful till the military commander, with the concurrence of the District Magistrate, issued a proclamation on the 12th April, warning all people that any gathering of over ten individuals collected at one spot would be fired at, and that any single individual seen outside any house between 7 P.M. and 6 A.M. who did not stop when challenged would be shot. The last occasion on which the troops fired was midday of the 13th April and the Committee find that there was not in fact any firing without warning nor was any person fired on, who was not either rioting or encouraging rioters. The outbreak came to an end abruptly on the 14th April and its cessation is ascribed partly to the effects of this proclamation and partly to the return of Mr. Gandhi who, be it said to his credit, used his influence with the people to assist the authorities in restoring order. During the disturbances telegraph wires were cut at eight places in Ahmedabad and at fourteen places outside, and property to the value of nine lakhs of rupees was destroyed. The number of rounds fired by the armed police and the troops was 748, and the number of ascertained casualties amongst the rioters was 28 killed and 123 wounded. The majority report comments thus on the measures taken to suppress the outbreak :—" We are of opinion that the measures taken by the authorities to deal with the disturbances were appropriate. The use of military force was unavoidable and the rioters alone were responsible for the casualties which ensued. The control of the city was in the hands of the military for less than two days and this has been referred to as a period of martial law. But beyond maintaining order and issuing the proclamation on the 12th April, the military authorities did not interfere with matters of administration. The so-called martial law orders were drastic ; but the situation was most serious. The belief that all groups or more than ten men would be fired on without warning did much to restore order, and it appears that this instruction was not in fact literally carried out. We think that the troops behaved with praiseworthy restraint in most trying circumstances, and that the military action taken was not excessive. The Bombay Government have informed us that the behaviour of the military during the period that they were stationed in the city was exemplary. Our investigation leads to the same conclusion."

9. The outbreak at Viramgam was marked by the same ferocity as in Ahmedabad, by arson, murder, the destruction of Government property, and attacks on railway and telegraph communications. The fury of the mob culminated in the savage murder of Mr. Madhavlal, a magisterial officer, who after a relentless pursuit was dragged from a house where he had taken refuge to the public road, soaked in kero-

sine oil and burnt alive beneath piles of public records, his body being completely incinerated. The outbreak began on the morning of the 12th April and was not finally suppressed till troops arrived from Ahmedabad late on the evening of that day. The Committee find that the total ascertained casualties amongst the rioters were six killed and eleven wounded and that the value of the property destroyed by the mob exceeded two lakhs of rupees. They commend the conduct of the armed police who behaved with spirit and kept off the mob from the public offices for six hours. They consider that the force used against the rioters by the armed police and by the armed peons of the Salt Department under Mr. Caldecott was certainly not excessive, and say indeed that if greater force could have been applied at an earlier stage, an atrocious murder and much destruction of property might have been prevented. They express regret that the murderers of Mr. Madhavlal could not be brought to justice for want of adequate identification.

10. In Nadiad the chief incident was an attempt to wreck a train which was conveying British troops to Ahmedabad. The train was derailed but had a miraculous escape, as it was brought to a stand before running down a steep embankment. Several attacks were made on railway and telegraph communications, but no collision occurred between the people and the troops who were sent here as a precautionary measure.

11. In Bombay City attempts were made to create disturbances when news came of the exclusion of Mr. Gandhi from the Punjab and Delhi, but the situation was well handled by the police and the military, and with the arrival of Mr. Gandhi the disorder subsided. As the Committee were informed by the Bombay Government, "the disturbances were attended by no fatal casualties or extensive destruction of public or private property. There was no suspension of the normal course of administration or of civil control over law and order. Offences committed in the course of the disturbances were dealt with by the permanent magisterial courts. There was no serious dislocation for any considerable time of the normal life of the city."

12. The minority accept the majority report in respect of all the disturbances in the Bombay Presidency, although they consider it almost certain that the unfortunate events at Ahmedabad and elsewhere would not have taken place but for the orders passed against Mr. Gandhi, and add that according to the official evidence his influence on arrival was fully thrown on the side of law and order. They acknowledge the discretion and judgment displayed by Mr. Chatfield, the Collector of Ahmedabad, in dealing with a sudden and grave outburst of mob fury, and compliment the local Government in the following terms: "The manner in which the Bombay Government, while firmly taking adequate steps for the maintenance of peace and order in the city of Bombay and Ahmedabad and other places, avoided taking measures likely to cause public irritation and leave bitterness behind, displayed to our mind creditable statesmanship."

13. We accept the unanimous findings of the Committee regarding the disorders in the Bombay Presidency. We also endorse the opinions which have been expressed regarding the valuable services of the local officers and the admirable behaviour of the troops engaged in the suppression of the disturbances. In this despatch it is impossible to review in detail the various outrages recorded in the report. A perusal of that document is necessary to appreciate correctly the cruelty of the mob, which was immediately directed against Europeans and Government servants. We desire to place on record our deep sympathy with all those who suffered at the hands of the mob and in particular with the relations of the magistrate and two police officers who were done to death in so dastardly a manner. Steps have already been taken to make provision for the dependents of these persons and to ensure adequate recognition of the services of those officers and others who rendered valuable assistance in this serious outbreak.

14. In Chapter III the Committee turn to the Punjab and deal first with the disturbances in the Amritsar district. They begin by describing the unrest and ferment which prevailed in Amritsar city prior to the 10th of April, on which date the first outbreak of disorder occurred. On the 9th the Deputy Commissioner received the orders of the local Government for the deportation of Drs. Kitchlew and Satyapal to Dharmsala. The action of the Deputy Commissioner in carrying out these orders quickly and quietly is approved and the precaution of concentrating seventy-five armed police at the kotwali (police station) is commended as wise. The subsequent breakdown of this arrangement is not held to be due to any want of foresight on the part of the local officers. The Committee comment, however, on the failure to warn the European residents in the city of the danger of their position, observing that this omission seems inconsistent with the precautions taken for the evacuation of the women and children. At the same time they recognise the impossibility of predicting such an outburst of murderous antipathy against Europeans as actually occurred.

When the news of the deportation of Drs. Kitchlew and Satyapal became known, an excited and angry crowd attempted to make their way to the civil lines. The Committee find that the Deputy Commissioner was right in preventing the crowd from proceeding further in this direction, and that the firing which was ordered to secure this object was completely justified and in no way exceeded the requirements of the occasion. Similarly on the second occasion on which firing was ordered at the Hall Bridge they justify the action taken and agree that the necessity of the occasion was not exceeded.

15. The Committee then describe the violent excesses which were committed by the mob in the city. At the National Bank the manager and assistant manager were brutally beaten to death; their bodies were burnt under piles of furniture, and the building itself was sacked, set on fire, and completely gutted, while the bank godowns were looted of their contents. The Alliance Bank was next attacked and its manager was cruelly murdered, being flung from the balcony on to

the street where his body was burnt under a stack of furniture soaked in kerosene oil. The building itself was spared, presumably because it was Indian-owned. The Committee condemn the police at the kotwali for failing to take steps to prevent these outrages, holding that the officers in charge might have prevented them but failed either to grasp, or to attempt to cope with, their responsibility. The Chartered Bank which was also attacked escaped through police intervention. The Town Hall and post office were burnt and the telegraph office attacked but saved by the jemadar of the station guard who fired on the mob. The Committee hold the firing at the telegraph office to be justifiable. They proceed to describe the looting of the goods station, the murders of Guard Robinson and Sergeant Rowlands, the murderous attacks on Mr. Bennett and Miss Sherwood, the determined search for Mrs. Easdon, the burning of various buildings including the Indian Christian Church, and the persistent efforts to injure communications and isolate Amritsar. The mob violence is described as anti-Government and anti-European and the gravity of the situation is made abundantly clear. In the course of a single day property to the value of seventeen lakhs of rupees was destroyed.

16. Later that day reinforcements in the shape of troops arrived and in the evening the Commissioner of the Division gave verbal instructions to the commanding officer that as the situation was beyond civil control he, as senior military officer should take such steps as the military situation demanded. On the evening of the 11th the Commissioner left for Lahore and General Dyer arrived at Amritsar where he took over charge of the troops. The Deputy Commissioner made over formal charge to him at midnight of that day. Generally speaking the Committee find no serious ground for criticism in regard to the action taken before the 13th April. The general conclusion of the Committee is that between the 10th and 12th the civil authorities had become powerless, and that the state of affairs on the 11th was inevitably leading to a state of *de facto* martial law, that the authorities were justified in the measures which they took to suppress disorder, including the cutting off of light and water supplies, and that they acted wisely in not attempting to take sterner and more resolute action to regain control within the city on the 11th and 12th.

17. The minority say that they are in general agreement with the statement of facts set out in Chapter III of the majority report, except where they specifically differ. They agree that all the firing which took place on the 10th April was justified and they differ on one point only. While the majority say that the firing at the bridge was in no sense the cause of the mob excesses of the 10th, the minority hold that, although the excesses were altogether inexcusable and without justification, the mob had not any previous fixed intention of committing excesses, but after the firing lost their heads and were seized by a mad frenzy to commit nefarious deeds.

18. We desire at this point to review the situation and the measures taken at Amritsar up to and including the 12th April. We endorse

the finding of the Committee that the situation was one of great difficulty and consider that the action taken by the authorities was generally justified. We think, however, it is to be regretted that the civil authorities considered it incumbent upon them, before the proclamation of martial law, to hand over control to the military in such terms as to suggest that they did not intend to exercise supervision or guidance over the action of the military commander. The result was to place the latter in a position of great difficulty and to impose upon him a grave responsibility which, in the opinion of the Government of India, should have continued to be shared by the civil authorities up to a later stage. It is not clear who was actually responsible for the complete abdication of civil authority, but the Government of India propose to make further enquiry into this matter and to pass such orders as may be necessary.

19. The Committee next deal with the events at Jallianwala Bagh on the 13th. They describe the place and give a full account of all the facts and circumstances of the firing, stating the number of rounds fired—1,650, and the extent of the casualties, the dead being estimated at 379 and the wounded at three times that number. They criticise General Dyer adversely on two grounds, (1) that he opened fire without warning, and (2) that he went on firing after the crowd had begun to disperse. On the first point, they say that the only person who can judge whether notice should properly be given on such an occasion is the military officer concerned. The Committee point out however that General Dyer does not suggest the existence of an emergency justifying his decision to fire on the crowd without warning. He stated before the Committee that his mind was made up as he came along that if his orders were disobeyed he was going to fire at once. They think it distinctly improbable that the crowd would have dispersed without being fired on, as most of those present had assembled in direct defiance of a proclamation. Nevertheless they say that notice would have afforded those who had assembled in ignorance of the proclamation and others an opportunity to leave the assembly. In continuing to fire as long as he did, even after the crowd had begun to disperse, General Dyer, in the opinion of the Committee, committed a grave error, though they consider that he honestly believed on the information then before him and his appreciation of the existing military situation that he was called upon to take this step in the discharge of his duty. They find further that it was his intention to create a moral effect throughout the Punjab and they condemn this as a mistaken conception of his duty. As regards General Dyer's failure to attend to the wounded, they say that he had a very small force with him and, as he explained, the hospitals were open and no application was made to him for help. In conclusion, they do not accept the view that General Dyer's action saved the situation in the Punjab and averted a rebellion on a scale similar to the mutiny.

20. In dealing with the events of Jallianwala Bagh, the minority find that the notice prohibiting the meeting was not adequately pub-

lished and they criticise General Dyer severely, (1) for suggesting that he would have made use of machine guns if they could have been brought into action, (2) for opening fire without warning and continuing after the crowd had begun to disperse until his ammunition was spent, (3) for firing not merely to disperse the crowd but to punish it and to produce a moral effect in the Punjab, and (4) for assuming that the crowd before him consisted of the persons guilty of the outrages of the 10th. They maintain that it is immaterial whether General Dyer thought he was doing right or not and that the plea of military necessity will not avail him, as this plea is always used in justification of Prussian atrocities. They do not agree with the majority that it was probable that the crowd could not have been dispersed without firing, citing General Dyer himself in support of their opinion : and they describe his action as inhuman and un-British and as having caused great disservice to British rule in India. They attribute his conduct to a fixed idea that India must be ruled by force and they condemn his action in not taking steps for the removal of the dead and the care of the wounded. Finally, they criticise the failure of the Punjab Government to ascertain without delay the number of casualties. It should be here stated that the result of official enquiries which included a careful scrutiny of the information gathered by the Sewa Samiti, (a Social Service Society) places the figures at 379 killed and 192 wounded. It is almost certain that the latter figure omits many who were only slightly wounded, but as an estimate of the more serious casualties the combined figure is probably nearer the truth than any estimate based only on a rule of proportion, such as that stated by General Dyer in his evidence before the Committee to be not beyond the bounds of possibility.

21. The difference in the measure of condemnation of General Dyer by the majority and the minority and the attention which has been directed to the events at Jallianwala Bagh both in England and in India, necessitate a careful examination by Government of the extent to which General Dyer should be held to be blameworthy. Looking to the specific findings on which the condemnation of his action is based, we consider that the orders prohibiting assemblies should have been promulgated more widely and in particular that notices might have been posted up at Jallianwala Bagh, which had become a favourite assembly ground for political meetings. We think also that notice might have been given at the Baisakhi fair where many people from villages in the vicinity had collected. At the same time it is the case that the proclamation was made by beat of drum in the presence of General Dyer himself, and notices were published at nineteen places in the city : it cannot therefore be doubted that most of the residents of Amritsar present at the meeting were aware of the orders and collected in defiance of them.

The Government of India agree with the Committee that General Dyer should have given warning to the crowd before opening fire. It is true that he had only a small force with him and that in view of this

circumstance and the previous successes of the forces of disorder it is most improbable that an excited and defiant mob would have disperse on a mere warning, but those ignorant of the order, including the villagers who had come to visit the Baisakhi fair, and indeed others would have had an opportunity of leaving the assembly if reasonable notice had been given to them. The Government of India agree that there was not such an emergency existing as to render this precaution impossible.

General Dyer's action in continuing to fire on the crowd after it had begun to disperse was, in the opinion of the Government of India, indefensible. He fired continuously for ten minutes during which time 1,650 rounds were expended. It is probable that General Dyer's action so intimidated the lawless elements in the population of Amritsar and neighbouring districts of the Central Punjab as to prevent further manifestations of disorder. The Government of India cannot however accept this as a justification of the continued firing which greatly exceeded the necessity of the occasion. The dispersal of the crowd was indeed a matter of vital importance in view of the situation which then existed in Amritsar and stern measures to effect this end were certainly required. In our opinion however much more restricted military force would have sufficed to produce this effect and General Dyer's action has undoubtedly left behind bitterness of feeling which will take long to pass away. He was no doubt faced with a position of great difficulty: he was apprehensive of Amritsar being isolated and he had before him the danger of allowing mob rule to continue after the terrible events of the 10th. Giving all due weight to these considerations, the deliberate conclusion at which we have arrived is that General Dyer exceeded the reasonable requirements of the case and showed a misconception of his duty which resulted in a lamentable and unnecessary loss of life. Although we are constrained to this decision, we are convinced that General Dyer acted honestly in the belief that he was doing what was right and we think that in the result his action at the time checked the spread of the disturbances to an extent which it is difficult now to estimate. This was the opinion of many intelligent observers in the Punjab. There remains the question of the failure to arrange for medical aid after the firing at Jallianwala Bagh. Here too we must express our great regret that no action was taken either by the civil or the military authorities to remove the dead or give aid to the wounded. The minority criticize Sir Michael O'Dwyer for expressing approval of the action taken at Jallianwala Bagh. On this point the Government of India have little to add to the account given by the late Lieutenant-Governor of the circumstances in which his approval was conveyed, but making every allowance for the difficult position in which Sir Michael O'Dwyer was placed, the Government of India think that he would have acted more wisely, if, before expressing any approval of General Dyer's action on this occasion, he had taken steps to ascertain the facts and circumstances of the firing more fully.

We desire to add here that our Honourable Colleague Mr. Shafi agrees generally with the minority in their findings of fact as regards Amritsar and the inferences deduced therefrom, where these differ from the findings and conclusions of the majority. He rejects the theory that General Dyer's action at Jallianwala Bagh saved the situation in the Punjab and averted a rebellion on a scale similar to that of the Mutiny. In his opinion the disturbances on and after the 14th of April in the districts of Gujranwala, Gujrat and Lyallpur were the results of the commotion caused by the Jallianwala Bagh affair.

22. We cannot leave this tragic occurrence without adverting to the charge that a veil of secrecy was deliberately thrown around it, the public being left to infer that the sinister policy of concealment has only been foiled by the revelations made before the Committee of enquiry in December last. The insinuation is devoid of foundation. When the outbreaks of disorder occurred, the immediate necessity was to quell them and restore order. At a very early stage His Excellency the Viceroy decided that it was incumbent upon Government to hold an enquiry into the disturbances and the administration of martial law. In this opinion you concurred and in the third week of May in a speech in the House of Commons you made the following announcement :—

> " As regards these troubles which I have been describing, as questions have been asked from time to time and resolutions have been moved demanding an enquiry, the Viceroy has always contemplated an enquiry. You cannot have disturbances of this magnitude without an enquiry into the causes and the measures taken to cope with these disturbances, but no announcement has been made of enquiry up to this moment for this reason ; let us talk of an enquiry when we have put the fire out."

This announcement is entirely incompatible with the suggestion of a conspiracy on the part of either the Government of India or the Secretary of State to suppress or conceal the details of the occurrence.

As a result of further communications between us the present Committee was appointed. The question of the composition of the Committee received the most careful consideration, as Government were determined that it should be a body of commanding weight and high judicial experience in which perfect confidence could be reposed by the public, both at home and in India. An announcement of the impending appointment of the Committee was made in the Imperial Legislative Council during its autumn session of September last. Apart from a general enquiry of this character the question whether the investigation of particular incidents should be deferred till the Committee assembled or should form the subject of preliminary proceedings had been carefully considered. Finally, however, we decided with your concurrence that such preliminary enquiries were inadvisable.

In considering whether preliminary enquiries should be held, the case of Jallianwala Bagh had received prominent notice, and after the decision the collection of information continued. The first report of the firing on the crowd at Jallianwala Bagh received by the Government of India on the 14th April placed the casualties at 200. This was supplemented two days later by a report that 200 was the number of killed. These reports were at once repeated to the Secretary of State. Fuller reports were not received till a later date. In the second half of April, General Dyer was fully occupied in marching troops throughout the disturbed area. Very early in May, owing to the outbreak of the Afghan war, he was selected for the command of the Kohat Brigade. From that date till the end of July he was continuously engaged in field operations; and his detailed report on the administration of martial law in Amritsar, including the firing at Jallianwala Bagh was not received till the month of August. Meanwhile the local Government had been pursuing enquiries to obtain accurate statistics regarding the extent of the casualties. The information elicited up to the end of August, which was confirmed by a scrutiny of the results of private enquiries made by the Sewa Samiti, showed that the ascertained death roll was then 291 and this was the figure stated at the meeting of the Imperial Legislative Council held in Simla on the 11th September. During this same session of the Council full accounts were given of the happenings in the Punjab and the story of Jallianwala Bagh was discussed in great detail. The proceedings of the debate were fully reported and published in the usual manner and indeed attracted great attention in India. The official enquiries, however, continued, and when the Chief Secretary to the Punjab Government gave evidence before the Committee four months later he stated that the total number of death casualties as then ascertained was 379, while a more recent report of the local Government, based on a scrutiny of the Sewa Samiti's information, places the number of wounded at 192.

From the time that it was decided to appoint the Committee, Government thought it proper to avoid as far as possible making any public comments on the transactions which it was the duty of the Committee to examine and to refrain from passing any judgment on the conduct of individual officers until they received the report of that body. There is no justification for the allegation that from the date of these occurrences until the publication of General Dyer's evidence before the Committee, the Government of India had been guilty of following a policy of deliberate suppression of the truth. The facts stated above clearly refute this libel.

It is no doubt a matter for regret that without resort to a formal enquiry full knowledge of what actually occurred should not have become general earlier. But the chapter is closed, and as Government and the public both in India and the United Kingdom are now in complete possession of the facts, recriminations, and regrets serve no useful purpose.

23. Chapter IV deals with the disorders in the Lahore district. In the Capital itself the agitation against the Rowlatt Bills and the com-

plete *hartal* of the 6th April had worked the people up to a state of intense excitement, which the news of Mr. Gandhi's arrest and of the disturbances at Amritsar brought to a head on the afternoon of the 10th. Crowds assembled in the city and endeavoured to overpower the police when the latter opposed their advance towards the civil lines. The Committee have carefully considered the circumstances under which fire was opened on this mob under the orders of the District Magistrate, Mr. Fyson, and the Superintendent of Police, Mr. Broadway, on three occasions in the course of that afternoon, and they fully approve the action taken by these two officers. The Government of India are unable to think that any other conclusion is possible. The outrages at Amritsar were known at the time to the mob when it was proceeding to the civil lines and it would have been suicidal to allow it to succeed in its endeavour. The position in Lahore, after these attempts of the crowd to enter the civil lines had been repelled, is thus described by the Committee :—

> "On the night of 10th April and for some days following, the city of Lahore was in a dangerously disturbed condition. Military measures were taken on that night to protect the Civil station and its surroundings. No European could safely enter the city, from which the police were temporarily withdrawn. For about two days the city was controlled by the mob."

The Committee then describe events of the 11th, the inflammatory speeches delivered at the Badshahi mosque to excited crowds of Hindus and Muhammadans, the organization of the *Danda Fauj*, a band of hooligans, who marched through the city armed with sticks (*lathis*) and destroyed pictures of Their Majesties, shouting that King George was dead. Attempts were made on the morning of the 11th to pull down the railings at the Fort, where some of the rioters spat at the British soldiers on guard and called them "white pigs." On the same day the railway workshop was attacked and determined efforts were made to bring about a strike amongst the workers. On the 12th another meeting was held at the Badshahi Mosque, when an officer of the Criminal Investigation Department was severely beaten by the mob. On the same day a mixed column of police and military was marched through the city in an effort to regain control of the situation. The march was hindered by large crowds, assembled at the Hira Mandi, who refused to disperse when so directed by the District Magistrate and began to stone the small advance force of police which was with him. Mr. Fyson was obliged to open fire with the result that one man was killed and twenty wounded. The Committee consider that it was essential on this day to disperse the crowd and that it would have been the end of all chance of restoring order in Lahore if the police and troops had left without dispersing it. All the firing was done by the police. The fact that the police, armed with buckshot, were made to take the brunt of the collision with the crowd instead of the troops with service ammunition, the small number of shots fired by the police, and the warnings given to the crowd, showed,

in the opinion of the Committee, that the greatest care was taken and the least possible degree of force was used.

Special attention is invited by the Committee to the use of inflammatory and seditious posters in Lahore, which in the name of Mahatma Gandhi called upon the brave people of the Punjab to enlist in the *Danda Fauj* and kill the English who were described as pigs, monkeys and kafirs. On the 13th April the district was proclaimed under the Seditious Meetings Act. On the same date the station of Wagah, about 14 miles off, was burnt and sacked, telegraph lines cut and an armoured train derailed fortunately without loss of life. On the 14th the Punjab Government deported the local leaders, Rambhaj Dutt, Har Kishan Lal and Duni Chand, who had been actively associated with the agitation and the still-continuing *hartal*: all these men were convicted later of the offence of waging war. On the 15th April martial law was proclaimed in Lahore.

24. The second portion of Chapter IV describes the very serious disturbances which occurred on the 12th April at Kasur, a sub-divisional town, 37 miles south-east of Lahore. On the morning of that day a violent mob attacked the railway station, and after destroying and burning a considerable quantity of valuable property, turned their attention to three trains which were held up near the station. Murderous attacks were made on a number of Europeans, including a lady and three children, who were travelling by these trains; some of them had miraculous escapes, but three persons were severely injured and two unfortunate warrant officers were beaten to death. Elated by their success, the mob next burnt down the post office and a civil court, and attacked the sub-divisional offices where the police were obliged to fire in defence of Government property with the result that four men were killed and several wounded. The Committee uphold the decision to fire upon the mob and think indeed that it should have been fired on at an earlier stage. Troops arrived from Ferozepore on the afternoon of the 12th and averted further trouble. Outbursts of disorder occurred at two other places in Lahore district, at Khem Karan on the 12th when the railway station was attacked with some resultant damage, and at Patti, where telegraph wires were cut on the night of the 11th and the post office and railway station were attacked on the 12th.

We accept all the findings of the majority, in which the minority concur, with regard to the disturbances in Lahore district and the measures taken to suppress them. We consider that praise is due to Messrs. Fyson and Broadway for their handling of the difficult situation in Lahore city.

25. Chapter V deals with the very serious outbreak at Gujranwala which is a town of 30,000 inhabitants about 36 miles north of Lahore. There had been here as elsewhere the usual agitation against the Rowlatt Bill and a complete *hartal* was observed on the 6th April but no violence had occurred or was anticipated till the 13th, when the news of the happenings at Amritsar and Lahore on the 10th gave rise to local excitement. That evening the authorities learnt that further demonstrations were intended next day and the acting Deputy Commissioner took such police

precautions as seemed to him necessary. The Committee describe in detail the outrages which were committed in the town on the 14th including the attack on a train, the setting fire to the Gurukul bridge, the burning of many buildings, and numerous injuries to railway and telegraph communications. The mob had obtained complete mastery and the police were unable to stop the senseless destruction of property which occurred or to secure the safety of the European and loyal population. The post office, the revenue office, the church, and the district court were all burnt down. The jail and the police lines were attacked but were saved by the police firing. The mob then returned to the railway station, set the buildings and goodssheds on fire, and looted their contents. Those European families which had not been sent away as a precautionary measure on the previous evening were collected for safety in the Treasury, which was protected by a small police guard. Communications meanwhile had been interrupted on every side; by the end of the day practically all the wires along the railway in front of the city were cut for a distance of some miles. On account of this interruption of communications, it was impossible to send ordinary military aid to Gujranwala and it was in these circumstances that the use of aeroplanes for the relief of the town was sanctioned. The police were nearly exhausted when about three o'clock in the afternoon three aeroplanes from Lahore arrived over the town. It was not till nine o'clock that night that the first troops arrived.

The important findings of the majority regarding events at Gujranwala are (1) that Mr. Heron's action in firing on the mob is entirely approved; (2) that the conduct of the acting Deputy Commissioner in refusing to allow firing when the mob attacked the post office is open to criticism; (3) that the mob was seeking to imitate what had been done at Amritsar; (4) that the decision to use bomb-carrying aeroplanes was justified in the circumstances, though recourse to the use of aeroplanes in civil disorders cannot be defended save in cases of the utmost urgency; and (5) that generally speaking, the action of the aeroplane officer, Major Carberry, was justified but that his instructions were defective. On all these points the Government of India are in entire agreement with the Committee and desire to commend Mr. Heron who behaved well in circumstances of great difficulty. The Committee find that the dropping of bombs on two outlying villages and on the Khalsa High School cannot be defended but the fault lay chiefly with the instructions given to Major Carberry and they impute no blame to him for a decision taken in the air and at the moment. They observe that the dropping of bombs on the riotous crowds within Gujranwala city was not only justified but, in their view, invaluable, and the fact that the disorders were ended long before troops arrived is in large measure attributable to this act. They say that no sufficient explanation has been given to justify the use of an aeroplane on the 15th of April for purposes of offensive action, and they conclude by recommending that the instructions to be issued to Air Force officers regarding the procedure to be followed by them on such occasions should form the subject of careful enquiry by the Air Force Headquarters.

The minority discuss the employment of aeroplanes in Chapter IV which is entitled "Armoured Trains and Aeroplanes." They agree with the majority in saying that the use of aeroplanes to quell civil disorders should as far as possible be deprecated. They condemn Major Carberry for dropping bombs on the Khalsa High School and two outlying villages, and say that though the orders he received were not worded with sufficient care, he did not exercise his discretion wisely in carrying them out. They find also that his action in firing with a machine gun on the crowd was excessive.

26. So far as the general question of the use of aeroplanes at Gujranwala is concerned, the Government of India accept the finding of the majority which is aptly expressed as follows :—"We are not prepared to lay down as a charter for rioters that when they succeed in preventing the ordinary resources of Government from being utilized to suppress them, they are to be exempt from having to reckon with such resources as remain." We do not consider that it would be right to censure the officers who have been mentioned in connection with individual incidents, as their acts, where condemned, are more to be ascribed to want of clearness in their instructions than to errors of judgment. We think that the despatch of aeroplanes on the 15th under instructions which admitted of their being used for offensive action was not justified but we do not consider that the officer who carried out the instructions was seriously to blame. We note, however, with satisfaction that, so far as known, no casualties resulted from the action taken on this date. Finally, we propose to take steps to give effect to the recommendation of the majority that the instructions to be issued to Air Force officers on such occasions should be carefully prescribed.

27. There were outbreaks of disorder at fourteen other places in the Gujranwala district, but the Committee discuss those only which occurred at Wazirabad, a town of 20,000 inhabitants 20 miles north of Gujranwala, at Akalgarh, and Hafizabad, and in the Shekhupura sub-division. At Wazirabad a riotous mob was repelled from the railway buildings, but did extensive damage to the telegraph system. It also set fire to railway bridges, sacked and burnt the bungalow of a Scotch missionary, and made an unsuccessful attempt to wreck the mail train. At Akalgarh and Hafizabad extensive damage was done to the telegraph wires, and at the latter place an officer of the Military Farms Department had a fortunate escape from the murderous intentions of a threatening crowd. In the Shekhupura sub-division persistent and determined attacks on the telegraph and railway systems were made at Chuharkhana, Shekhupura, Sangla and other places, at least three railway stations being destroyed, while savage assaults were made on certain railway employés and Government servants. An armoured train was sent to the rescue from Lahore, and fire was opened from this at Chuharkhana under the orders of Rai Sahib Lala Sri Ram Sud, Extra Assistant Commissioner of Sharakpur. The Committee find that his officer acted in a difficult situation with promptitude and decision. The minority take a different view and condemn him on the ground that his intention was punishment

and that the firing was therefore not justified. The Government of India accept the opinions of the majority in all matters arising out of the disturbances at these places and agree with them that Lala Sri Ram Sud displayed promptitude and decision in the discharge of his duties.

28. Chapters VI and VII describe the events which occurred in the Gujrat and Lyallpur districts respectively. The chief features of the disturbances in these areas were attacks on railway communications and telegraph wires. At Gujrat on the 15th April fire had to be opened on a riotous mob which was dispersed without casualties. At Malakwal a train was derailed on the 17th April and two lives were lost. In Lyallpur a very disquieting and prominent feature was the continued exhibition of posters of an inflammatory and criminal character. Indians were called upon, in the blessed name of Mahatma Gandhi, to fight to the death against English cheats and to dishonour English women. Great tension existed for several days and the situation at Lyallpur was an anxiety to Government on account of the memories of the previous troubles of 1907. The position was so serious that the Europeans in the station were collected for safety in two houses in the civil lines, but no actual violence occurred except the cutting of telegraph wires at a few places in the district. The arrival of troops on the 17th April prevented any further disorder.

The Committee have not described in detail the acts of violence and disorder which occurred in many other towns and places in the Punjab, but these are set forth in the chronological statement annexed to the report and it is necessary to bear them in mind in considering the position as it appeared to the local Government when the proclamation of martial law was recommended.

29. Chapter VIII describes the persistent and widespread attacks on the railway and telegraph systems, which continued from the 10th April till about the end of the month. According to a report of the Telegraph Department, the wires were cut or tampered with on 55 occasions, but there were besides numerous attacks on railway telegraphs and the total number of outrages of this class cited by the Home Member at a Council meeting in September last according to a statement of the Punjab Government was 132. The Committee ascribe the attacks on communications partly to anti-Government feeling and partly to the desire to prevent the movement of troops. They also refer to the persistent attempts which were made to incite the railway staff to strike. The unrest prevailing amongst certain sections of the staff was a cause of great anxiety to Government at this critical time.

The importance of this chapter lies in the close bearing it has on the question of the justification for the introduction and continuance of martial law. The significance of the statistics of railway and telegraph interruptions is brought forcibly home by the maps attached to the report. These indicate the extended area over which this class of offence was committed, giving rise to a suspicion of preconcerted action.

30. In Chapter IX the Committee discuss the causes of the disturbances and say that an adequate explanation of the general and wide-

spread outbreaks in the Punjab must be sought in the causes of a general state of unrest and discontent amongst the people, particularly the inhabitants of the larger towns. The increased interest in political agitation caused in recent years by the Home Rule movement received a great impetus from the new doctrine of self-determination. Meanwhile however the restrictions imposed under the Defence of India Act were becoming more essential, as the war drew to its climax. These restrictions affected the daily life of the ordinary citizen much more lightly in India than in Europe; nevertheless, particularly when imposed on political agitation, they were, however necessary, the more galling to the educated classes, in view of the fact that the political future of India was under consideration. The Punjab was meanwhile doing more than its share to respond to the call of the Empire for recruits for the army, and the strain falling mainly on the country districts, which the local Government considered it necessary to protect from any anti-Government agitation likely to hamper the work of recruitment. After the conclusion of the Armistice in November 1918 hopes ran high amongst the educated classes that the services rendered by India in the war would receive immediate recognition. But these hopes were not at once fulfilled and disappointment was caused by a combination of circumstances, such as high prices, scarcity, food stuff restrictions, and the anxieties of the peace settlement, especially as it affected Turkey.

The Committee next consider the agitation against the Rowlatt Bills. They find that this was largely, if not mainly, responsible for creating the feeling against Government which provoked such serious disorders and they cite various false rumours as to the provisions of the Bill which inflamed popular feeling. They next examine the history and progress of the *Satyagraha* movement inaugurated by Mr. Gandhi on the 24th February. After a careful review of this movement in all its aspects, the Committee find that a familiarity and sympathy with disobedience to laws was engendered by it amongst large numbers of people and that the law-abiding instincts which stand between society and outbreaks of violence were undermined at a time when their full strength was required. From its first inception the *Satyagraha* movement was condemned by prominent leaders of moderate opinion in India as likely to promote disorder and breach of the peace, and the organizer himself recognized later that in embarking on a mass movement he had underrated the forces of evil. The Committee expressly find that the recruiting campaign and the action taken in the Punjab to raise subscriptions to the war loans were not responsible for the unrest. They conclude by saying that there is no evidence that the outbreaks in the Punjab were the result of a prearranged conspiracy to overthrow the British Government in India by force, but that it was difficult and probably unsafe for Government not to assume that the outbreak was the result of a definite organization. Apart from the existence of any deeply laid scheme to overthrow the British, a movement which had started in rioting and become a rebellion might have rapidly developed into a revolution.

31. In the introductory chapter of their report the minority state that they are in substantial agreement with the findings of the majority

as regards the causes of the disturbances, with this reservation that they do not concur in the opinion that the Punjab authorities were justified in assuming that the outbreak was the result of a definite organization. They are unable to agree that the riots were in the nature of a rebellion and they say that it is an unjustifiable exaggeration to suggest that the events might have developed into a revolution. They entirely agree with the majority in their estimate of the *Satyagraha* movement and its off-shoot, civil disobedience of laws. They develop their views on the real character of the disorders, including their causes, more fully in Chapter II of their report. Here they refer to the general conditions existing in the beginning of 1919, the strain placed on India by her war efforts, the hardship of high-prices, the inconveniences and restraints imposed by war measures, the hope of alleviation excited by the armistice, and the subsequent disappointment caused by famine, epidemic, and a more stringent Income-tax Act, the belief that the proposals of the Government of India as regards the reform scheme were illiberal and intended to whittle it down, and the delay of the Turkish settlement. They argue that many of the foregoing causes affected the Punjab more than other provinces and they instance other special factors such as war weariness, foodstuff and traffic restrictions, Sir Michael O'Dwyer's speeches, press restrictions, the orders prohibiting the entry into the province of outside politicians, all tending to cause general irritation amongst the educated classes. While refraining from any discussion of the merits of the Rowlatt Act they hold that its introduction and enactment in the face of Indian opinion was a fertile source of discontent which was fostered by misrepresentations in the Punjab. They assert that Indian leaders were not responsible for these misrepresentations, and they condemn Government for failing to explain the Act to the masses until after the *hartal* of April the 6th, although misrepresentations were current before that date. They accept the estimate of the *Satyagraha* movement formed by the majority, but they disclaim the view that the disorders in the Punjab can be attributed to any active presentation of the *Satyagraha* doctrine by organizations working within the province. They find that there was no organization to bring about disturbances and they quote the evidence of various official witnesses in support of this conclusion. The anti-British and anti-Government outbursts which occurred were in their opinion purely the result of sudden mob frenzy. The minority conclude that although there was thus no evidence of organised conspiracy in the Punjab, the civil and military authorities persuaded themselves that open rebellion existed and took action accordingly.

32. The Government of India accept the findings of the Committee regarding the causes of the disturbances. The minority as stated above, are in substantial agreement with the majority on this subject. Of the causes specially mentioned by the minority they agree that epidemics and a new Income-tax Act were factors in the unrest, and this latter cause may have accounted in part for the extent to which the movement enlisted the sympathy of the trading classes. The despatches containing the views of the Government of India on the Reform proposals were not

published till long after the disturbances, and if, as is suggested by the minority, the supposed attitude of the Government was a cause of unrest this must have been due to deliberate misrepresentation. Moreover, so far as is known, no such allegations were made either in the press or on the public platform before the disorders actually broke out. The minority assign as one of the causes of the unrest which preceded the outbreak in the Punjab the attitude of Sir Michael O'Dwyer towards the educated classes and the resentment which they allege was produced thereby. The efforts made by the larger land-owners and men of leading in rural areas to promote recruiting during the war had brought these classes into prominence and had secured a generous recognition from the local Government. For this and other reasons a tendency had sprung up towards cleavage between the rural classes and the trading and professional classes from which the intelligentia is mainly drawn. This may have created amongst the latter an impression that their political influence was being curtailed. The Government of India agree with the Committee that misrepresentations of the Rowlatt Act were an important cause of the outbreak. Such misrepresentations were freely circulated and their harmful effects were incalculable. Government were unaware of the dissemination of these malicious falsehoods until the beginning of April when they at once took action to contradict them. It is unfortunate that neither in the press nor on the public platform did those who attacked the act endeavour to remove the effects of these misrepresentations. Whether it is correct or not to say, as the minority do, that the disorders in the Punjab were not due to any active presentation of the *Satyagraha* doctrine within the province, we must place on record our belief that many of those who joined the *Satyagraha* movement did so with the intention of using it for the purpose of promoting disorder. Finally we desire to observe that the opinion of the minority regarding the nature of the disorders is discounted by their findings of fact, while the conclusion of the majority that a movement which started in rioting became a rebellion is supported by the conviction before various tribunals of a large number of persons for the offence of waging war against the King. These convictions, in the opinion of the Government of India, are of great importance in reaching a decision as to the true character of the disorders.

But whatever the truth may be as to the causes which produced these disorders and grave as the outbreak was in its nature and effects, it must not be forgotten that the loyalty of India as a whole remained unshaken and that even in the Punjab the bulk of the population maintained its reputation and did not fall a victim to the infection which so disastrously affected a portion of it.

33. There is one point in the discussion of causes to which the Government of India desire to advert at greater length. It has been represented that the action taken by Government against prominent politicians, such as Mr. Gandhi and Drs. Kitchlew and Satyapal, was the cause and not merely the occasion of the disturbances. This is sufficiently disproved by the fact already pointed out that the *Satyagraha* movement

had led to grave disorders in Delhi long before any such action was taken. But the circumstances in which Mr. Gandhi was excluded from Delhi and the Punjab deserve fuller examination.

The situation about the end of March has already been described. The acute state of tension which continued in Delhi for some days after the outbreak of the 30th March greatly increased the potentialities of danger of the *Satyagraha* movement in other parts of India, where the news of the Delhi rioting caused great excitement. The events of that might indeed well have conveyed to the promoters of the movement a warning of the dangers which were attendant on their propaganda, but actually they were far from doing so. The agitation accompanied by increasing excitement continued unchecked all over the country.

It was at this critical juncture that we received information that Mr. Gandhi had vigorously renewed his campaign of civil disobedience to the laws, and on the 9th we heard that he had left Bombay for Delhi on the previous evening. Immediately on receiving this news, we consulted the Lieutenant-Governor of the Punjab and the Chief Commissioner of Delhi. Both these officers considered that the situation had become serious and that it would be most dangerous to allow Mr. Gandhi to enter their jurisdictions. His avowed intention was to break the law of the land and to secure adherents to the *Satyagraha* movement. His arrest and prosecution in the Punjab would in all probability have been the signal for an outbreak. and the enlistment of any large number of supporters to his movement in that province would almost certainly have led to an immediate campaign of active resistance and outrage. The Chief Commissioner considered that an order merely prohibiting Mr. Gandhi from entering Delhi would be very dangerous. as the only method of enforcing it would be to arrest, detain and prosecute him in that city. On the other hand, if he were allowed to enter Delhi, it was most probable that he would break the law there and would have to be arrested and tried for an offence, with the result that there would almost certainly be a recurrence of the recent serious rioting. In these circumstances the Government of India authorised the local Governments of the Punjab and Delhi to issue orders under rule 3 (*b*) of the Defence of India Rules, directing Mr. Gandhi to remain in the Bombay Presidency. The Government of India then considered, and still consider, that this course was amply justified in view of the fact that Mr. Gandhi was the leading spirit of a movement intended to paralyze Government.

34. In the same way it has been suggested that the action of the Punjab Government in ordering the deportation of Drs. Kitchlew and Satyapal on the 10th April was a provocative act leading direct to the subsequent outrages. Previous orders had been passed prohibiting them from speaking in public, and it is true that they had not taken an open part in the meetings immediately preceding the *hartal* of the 6th April. But as the evidence subsequently taken before the martial law commission showed, they held secret meetings after that date and continued to direct an agitation which was found to be of the nature of a criminal conspiracy. It was in these circumstances that the local

Government decided to remove them from Amritsar to Dharamsala. That outrages followed as soon as the news of the deportation became known is of course the case. But it is always a question of the greatest difficulty to judge whether preventive steps such as those taken will, in a time of great popular excitement, quiet the general atmosphere or precipitate disorder. The probability seemed to be that they would achieve the former result.

35. Chapter X of the Report contains a statement of the facts regarding the successive stages in the application of martial law. Chapter XI discusses the propriety of its introduction and continuance. The majority of the Committee, as already mentioned, definitely find that a state of rebellion against Government existed. They review the various occurrences, indicate the broad features of the disorders and their significance, point out the danger of criticising isolated events and examine the whole position as it presented itself to the Punjab Government and the Government of India. Finally they conclude that the situation in the Punjab was one of extreme gravity and that the authorities were justified in declaring martial law in those areas where it was proclaimed.

The wisdom of continuing martial law is discussed at some length, and the prolongation of it on the railway is examined with special reference to the Afghan War. The conclusion of the majority is that those responsible for the continuance of martial law gave careful and considerate judgment to the question and did not prolong it beyond the time during which to the best of their judgment it was necessary for the maintenance and restoration of order in the province. Looking to the problem with which Government was faced, the Committee do not think they would be justified in adversely criticising the decision. On the question of the enforcement and continuance of martial law the minority differ widely from the majority. They find that the introduction of martial law was not necessary, because in their opinion order had been restored everywhere and the authority of Government vindicated before martial law was applied. They think that order could have been restored by the civil power with the aid of the military, and that the Punjab Government persuaded themselves rather easily that martial law was necessary. The reasons for the continuance of martial law are also examined and rejected. Assuming that the introduction of martial law was necessary they say that it ought not to have been continued beyond a few days. The Punjab Government, they think, approached the question from a wrong point of view and the Government of India were guided by the local Government.

36. In considering the necessity for the declaration of martial law it is difficult for the Government of India to take an entirely detached view. We were necessarily guided by the information forwarded by the local Government: we had already received reports of grave disorders occurring in various places: and we maintain the view that with this information before us, we could not have taken any other course than we actually adopted, when we received from Lahore on the after-

noon of the 13th April the wireless message which ran as follows:—"Railway stations between Kasur and Amritsar looted. British soldier killed and two British officers injured at Kasur. Bands of rebels reported on move—Kasur and Tarn Taran treasuries attacked. State of open rebellion exists in parts of districts of Lahore and Amritsar. Lieutenant-Governor with concurrence of General Officer Commanding, 16th Division, and Chief Justice of the High Court, requests Governor-General in Council to suspend functions of ordinary Criminal Courts in Amritsar and Lahore Districts, to establish martial law therein, and to direct trials of offenders under section 22, Regulation X of 1804. Section 4 will be borne in mind. Situation is critical. Moveable column starts on march from Ferozepore to Amritsar through worst tract with guns to-morrow."

The action of the Government of India has now been justified by the findings of the majority of the Committee, who also exonerate the local Government from all blame. The minority accept the findings of fact as to the number of outrages committed, the animus of those engaged in the riots, the violence used and the number of times on which it was necessary to resort to firing; they also observe that the acts of some of those who took part in the disorders may have amounted in law to waging war against the King, although it was not rebellion in the sense in which that term is ordinarily used. These findings, in the opinion of the Government of India, detract largely from the force of their conclusion that the introduction of martial law was not necessary. In regard to the continuance of martial law the Government of India have nothing to add to the findings of the majority beyond stating that although martial law was maintained on the railways for a prolonged period owing to the outbreak of the Afghan War it was only employed there, after it had been withdrawn from the districts, for the purpose of controlling traffic and protecting the lines.

There is, moreover, one factor in the situation as it presented itself in April 1919 which cannot in the opinion of the Government of India be neglected without prejudice to sound judgment. At that time the British Empire was at war with Germany. Even at the present moment we are not yet at peace with all our enemies; and certainly a year ago when the treaty of peace with Germany had not yet been signed, the existence of a state of war was not a mere technicality. Allusion has already been made to the additional pre-occupation which intervened in the shape of war with Afghanistan, and the difficulties thus created were enhanced by the attitude of the frontier tribes. But at the back of and accentuating these more local difficulties was the paramount necessity of maintaining at the call of the Empire, whose needs were abated, but not extinguished, by the armistice, the resources of the Indian Dominions of His Majesty. In the face of this necessity it was impossible to contemplate any policy which involved an appreciable risk of delay in the restoration of normal conditions or of the recrudescence of the disorders which appeared to have been suppressed.

We desire to add here that our Hon'ble Colleague, Mr. Shafi, dissents from the finding of the majority of the Committee, accepted by us, that the declaration of martial law was necessary. In his opinion, there being no organised or preconceived conspiracy to subvert British rule behind these disturbances, the vast rural tract in the five districts concerned having remained tranquil and loyal, there having been disturbances only in a few places in the urban area, and even in these few places the majority of the residents not having taken any part in the disturbances, there was no open rebellion as alleged, and no justification in consequence for the proclamation of martial law. Besides, before the date on which martial law in these districts was actually enforced, the disturbances had been quelled with the assistance rendered by the military and, in consequence, there was no justification for enforcement or maintenance of martial law on these days and after. This being the case, Mr. Shafi is of opinion that the continuance of martial law over such a long period was uncalled for.

37. Chapter XII deals with the administration of martial law, including the working and procedure of the summary courts. The majority of the Committee find that the trials were correctly described as lengthy, detailed and careful, and commend the substitution for courts martial of tribunals similar to those under the Defence of India Act. They find, however, that although arrests were made in the ordinary way, there may have been cases in which individual police officers subjected those arrested to unnecessary severity. They observe that while the number of persons arrested and not brought to trial was regrettably large and the period of detention unusually long, on the whole this difficult work was not done badly or oppressively. The disorder was so widespread and serious that its inevitable result was to strain any improvised system. In regard to the sentences passed by the martial law courts, the Committee find that there was a general feeling that they were unnecessarily severe but that this was remedied by commutations effected by the local Government. They suggest that charges for serious offences need not have been pressed in the case of minor offenders. Extensive reductions in the sentences would not then have been necessary. The Committee also find that in certain cases, *e.g.*, those of Drs. Kitchlew and Satyapal, it is a matter for regret that the accused were not tried by the ordinary courts. These views are accepted by the Government of India. The military order prohibiting the employment of counsel from outside the Punjab is criticised as unwise and the action of the Government of India in disapproving it is commended.

38. The Committee examine at considerable length the nature of the martial law orders which were promulgated by military commanders in the Punjab. The majority find that some of the orders passed were injudicious and served no useful purpose. They criticise severely the "crawling" order passed by General Dyer (which was disapproved by the Lieutenant-Governor as soon as it came to his notice), the "salaming" order of General Campbell, and the "roll call" imposed by Colonel

Johnson on the students of Lahore. The Government of India agree that in the instances which the Committee cite with disapproval the action of the officers mentioned was unjustifiable and in some cases inflicted unnecessary humiliation, resulting in ill-feeling which has been a serious embarrassment to the administration. The flogging of six persons, the suspected assailants of Miss Sherwood, for a breach of fort discipline on the spot where that lady was assaulted is severely criticised and the Government of India agree that the action taken in this case was highly improper. In dealing with sentences of public flogging the Committee say that under martial law administration no flogging should take place in public. They find further that the number of flogging sentences was excessive, and though it was regarded as probably the most efficacious and convenient method of dealing summarily with minor breaches of martial law regulations, restrictions ought to be placed on the discretion of area officers in awarding sentences of this kind. They say, however, that there is no foundation for the allegation that whipping was inflicted in a cruel fashion and that several persons practically succumbed to it. These findings the Government of India entirely accept. The Committee then refer to the infliction by summary courts of certain punishments not warranted by the law. Though these punishments were unsuitable, they were not generally of a serious nature and were often awarded in place of more severe legal punishments. The Government of India, however, disapprove of such fantastic penalties and have taken steps to prevent their being imposed in future.

39. The minority are more severe in their condemnation of the martial law administration. In addition to the criticisms already dealt with, they contend that many of the orders were issued for purely punitive purposes. They cite in particular the orders directing representatives of each ward in Lahore to appear daily before the commanding officer to ascertain his orders for the day. The curfew order, the regulation of prices, and the commandeering of motor cars, electric lights and fans from Indians are also criticised. We are not prepared to say that all these orders were without justification, but we consider that the administration of martial law in Lahore was in some respects unduly severe and exceeded its legitimate limits, that is to say, the requirements of the military situation and the maintenance of law and order. The minority condemn the order imposing on property-owners responsibility for the safety of martial law notices pasted on their houses. The Government of India are not prepared to say that in the circumstances this order was improper. The minority express their strong disapproval of the confinement of the professors and students of the Sanatan Dharm College because certain martial law notices had been destroyed. The Government of India agree that this order exceeded the necessity of the case. The minority further criticise and condemn the conduct of certain officers, notably Colonel O'Brien, Mr. Bosworth Smith and Mr. Jacob, for various orders passed by them in the administration of martial law. The Government of India agree that in the instances cited the officers mentioned acted injudiciously and in some cases improperly. While the findings of the minority report in regard to all these points

are very cogent and in some cases fully justified, it must be remembered that officers charged with the administration of martial law cannot be expected to act in abnormal conditions with that care and circumspection which are possible in normal times, nor can such a standard be rigorously applied for the subsequent examination of their actions in the calm atmosphere of safety after order has been restored.

40. The minority in a separate chapter discuss the working of the courts under martial law. The flogging of some members of a marriage party in Lahore by an extra assistant commissioner is rightly condemned. The Punjab Government at once took action against the officer responsible for this abuse of power. The procedure of the summary courts is attacked as unsatisfactory. The Government of India do not think that when martial law is enforced summary courts can be required to observe the formalities of procedure which normally obtain. The minority comment more severely than the majority on the large number of persons arrested and discharged without trial. In the opinion of the Government of India arrest and detention for short periods are justifiable during a period of martial law as preventive measures to preserve the peace; further many of those arrested were not prosecuted subsequently because, though evidence was available, the necessary deterrent effect had already been secured by the conviction of a large number of persons for similar offences. Nevertheless, the Government of India consider that the arrest and detention for long periods of so many persons, and particularly of Dr. Kedar Nath, Mr. Gurdial Singh, Dr. Manohar Lal and six lawyers of Gurdaspur, were a serious error and while they do not overlook the difficulties of the situation, they are constrained to express their disapproval of the action taken in these cases.

In this connection we cannot pass over in silence the allegations of corruption and ill-treatment of prisoners and witnesses on the part of subordinate officers of the police and other services to which wide currency has been given. We recognise the difficulty of sifting charges made so long after the event, but we will direct the local Government to undertake enquiries and take appropriate action in cases where specific complaints are made and action has not already been taken.

41. We accept the view that the administration of martial law in the Punjab was marred in particular instances by a misuse of power, by irregularities, and by injudicious and irresponsible acts. We further agree with the Committee that while the principle of the ultimate supremacy of the military authorities must be kept in view, still in practice executive instructions should be given to all officers who may be called upon to administer martial law, which will guide them in the discharge of this duty. In our opinion it was the absence of such instructions which was responsible for many of the defects which have been noticed in the administration of martial law in the Punjab. It is to inexperience, ignorance of local conditions, and lack of guidance when confronted with an abnormal situation rather than to deliberate misuse of power that most of the mistakes committed must be ascribed. The

Government of India consider that in any area in which in future it may be necessary to enforce martial law, senior civil officers should be appointed to act as advisers to the various military authorities. The military officer would not be bound in the last resort to follow the advice of his civil adviser but if he decided contrary to that advice, he would do so on his own responsibility. We regard the prevention of any future repetition of mistakes and irregularities as the most important lesson to be learnt from this portion of the report and we have accordingly decided to issue instructions which will secure this object, and will in particular discourage interference by the military authorities with the ordinary administration in excess of the necessities of the case.

42. Before leaving the subject of the working of the courts under martial law, the Government of India desire to refer to the action which was taken by the local Government, after order was restored and martial law withdrawn, to mitigate the effects of the sentences passed by these courts. Between the months of June and November sentences were reduced in 634 cases, 45 death sentences were commuted, and 43 persons were released. In November two High Court Judges were appointed to review all unexpired sentences passed by summary courts and such other cases tried by martial law commissions as might be referred to them by Government. In December, as a result of the reviewing Judges' recommendations, 92 persons convicted by summary courts were released, and further action of the same kind would have been taken, but on the 23rd of that month the Royal Proclamation with its message of amnesty was published, and under it clemency was extended to 657 prisoners who were released. By February, out of a total of 1,779 persons convicted in connection with the disturbances, only 96 of the worst offenders, who had taken part in serious crimes of violence, remained in jail and this number has since been reduced to 88. The extension of clemency to political prisoners in the Punjab has been guided throughout by the generous and sympathetic recommendations of the Lieutenant Governor, whose efforts to restore a peaceful atmosphere within the province are gratefully acknowledged by the Government of India.

43. It now remains for the Government of India to endeavour to arrive at a just appreciation of the conduct of the officers of the Crown, whether civil or military, who were employed in the areas affected by these disorders and to make certain general remarks which appear to be essential before finally disposing of the Committee's report. The task of rightly estimating in a calm atmosphere, when order and peace have been restored, the behaviour of those faced with a grave emergency and compelled to arrive promptly at decisions of the greatest moment is one of unusual difficulty. The very qualities of courage and initiative, which are of incalculable value during the early stages of an outbreak, may in its later stages be a source of injury, if not tempered by discretion. Moreover, any such estimate, if it is to be just, must not neglect the difficulty of deciding when to act and when to refrain from action, and must endeavour to view the whole position in a right perspective.

It was fortunate that, when the disturbances broke out in April 1919, the Punjab was in charge of a Lieutenant-Governor of great experience and courage. The Government of India consider that Sir Michael O'Dwyer acted with decision and vigour in a time of great danger and that he was largely responsible for quelling a dangerous rising which might have had widespread and disastrous effects on the rest of India.

Reviewing the situation as a whole, we desire to express our great appreciation of the admirable conduct of the troops who were employed in the suppression of the outbreak. Leaving aside individual instances, which have already been noticed, both officers and men acted with admirable restraint under most trying circumstances and the Government of India have nothing but praise and gratitude for the services which they rendered in suppressing disorder and restoring the peace of the country.

The officers of the civil administration of all classes and ranks in the affected areas generally maintained that high standard of conduct and devotion to duty which the Government of India would have expected of them. Thanks are due not only to those who were immediately concerned in the restoration of order but also to those who by carrying on their ordinary duties with calmness and fortitude in a time of turmoil did much to restore the confidence of the people. The names of some of those officers who have been specially commended have already been referred to but if local Governments consider that there are other officers whose conduct merits special commendation, their names should be brought to notice at an early date.

To those non-officials who either did their best to stay the agitation which had so sinister a connection with the outbreak, or who by their influence and assistance helped the authorities to restore order, the grateful acknowledgments of the Government of India are due in full measure and local Governments will be asked to see that individual assistance of this kind does not go unacknowledged or unrewarded.

It is a great satisfaction to the Government of India to notice that there were many of all classes and creeds who, in the face of frenzied mobs, and even at the risk of their lives, afforded assistance or showed compassion to the innocent victims of the outrages. Here again it is desired that all such actions shall be marked with a very definite acknowledgment or, in cases where such a course is suitable, be recompensed with a pecuniary reward.

41. The names of officers whose actions have been rightly criticised or condemned have been mentioned in the body of this despatch and local Governments will be requested to take such action as may be necessary to mark in these cases the disapprobation of the Government of India.

The case of General Dyer calls for separate mention. We have given most anxious consideration to the action of this officer at Jallianwala Bagh. We are satisfied that it was *bona fide* and dictated by a stern

though misconceived sense of duty. The facts are abundantly clear. General Dyer has made no attempt to minimise his responsibility for the tragedy or even to put a favourable complexion on his action or purpose. The only justification that could be pleaded for his conduct would be military necessity arising out of the situation before him and in the area under his jurisdiction. In circumstances such as General Dyer was confronted with, an officer must act honestly and vigorously but with as much humanity as the case will permit. We recognise that in the face of a great crisis an officer may be thrown temporarily off the balance of his judgment and that much allowance must be made on this account. We recognise further that, however injurious in its ultimate effect General Dyer's action may have been, it resulted in an immediate discouragement of the forces of disorder. Nor have we overlooked our Resolution in which we promised full countenance and support to officers engaged in the onerous duty of suppressing disorder. Nevertheless, after carefully weighing all these factors, we can arrive at no other conclusion than that at Jallianwala Bagh General Dyer acted beyond the necessity of the case, beyond what any reasonable man could have thought to be necessary, and that he did not act with as much humanity as the case permitted. It is with pain that we arrive at this conclusion, for we are not forgetful of General Dyer's distinguished record as a soldier or of his gallant relief of the garrison at Thal during the recent Afghan war. We must however direct that the judgment above pronounced be communicated to His Excellency the Commander-in-Chief with the request that he will take appropriate action.

45. We have on several occasions expressed our very great regret for the loss of life, European and Indian, which occurred in the disturbances and our sympathy with those who are left to mourn the victims of these unhappy events. We desire once again to convey regret and sympathy to all who have thus suffered. Compensation, so far as this can be any reparation, has been awarded to those to whom compensation was due under the law, and adequate provision has been, or will be, made for the dependents of Government servants who have lost their lives in the disturbances. The Punjab Government will also be enjoined to consider the cases of persons who have been left in want through the death or permanent injury of their supporters at Jallianwala Bagh, and to supplement, if necessary, any assistance that may have been rendered to such persons by local charity organisations.

46. We have now surveyed all the conclusions of the Committee. There remains, in our opinion, one lesson of supreme importance to be drawn from the events of April 1919. It will be impossible to dissociate memories of these disorders from the civil disobedience movement which was their chief immediate cause. When this movement was initiated, it was apparently not obvious to its promoters, as it was to all thoughtful persons, that in India in its present state of development (whatever may be the case in other countries) the unsettling effect of advice to the public in general to break selected laws was likely to

lead to a situation which might involve the overthrow of all law and order. The bitter experience of last year removes this question from the category of doubt, and those who henceforth inaugurate such movements from whatever motives, cannot feel uncertain as to the consequences of invoking forces which they can neither direct nor control. We can only hope that this lesson has been learnt once for all, and that in the future all right-thinking persons will set their faces firmly against the deliberate playing with fire which is involved in the promotion of such movements.

Finally, we desire to express here our earnest hope that the lesson to be learned from these events is not of a merely negative character. Since the period which has formed the subject of this enquiry a new era has been inaugurated in India and the change has given occasion to a gracious proclamation by the King-Emperor, which has appealed to the hearts of all his subjects in India. We venture to recall at this time the salient feature in this gracious message; we feel confident that the earnest desire expressed by the King-Emperor that any trace of bitterness between his people and those responsible for his Government should be obliterated, will not pass unheeded.

47. In conclusion, we desire to express our thanks to Lord Hunter and the members of his Committee for the great ability and painstaking labour they have bestowed on an enquiry which from its very inception must have been a most difficult and seemingly thankless task, and for their report which has cleared up much that was in doubt and dispute, and which has been of the utmost service to us in arriving at just conclusions on the many questions that called for decision.

We have the honour to be,

SIR,

Your most obedient, humble Servants,

(Signed) CHELMSFORD.
„ C. C. MONRO.
„ G. S. BARNES.
„ W. H. VINCENT.
„ M. SHAFI.
„ W. M. HAILEY.
„ T. H. HOLLAND.
„ A. P. MUDDIMAN.

No. 108-Public. INDIA OFFICE, LONDON,

The 26th May 1920.

TO HIS EXCELLENCY THE RIGHT HON'BLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

MY LORD,

His Majesty's Government have considered the report of Lord Hunter's Committee upon the disturbances which occurred in the Punjab and other parts of India in the early part of last year. They have further been informed by me of the conclusions at which Your Excellency's Government had arrived in your own review of the report as expressed in your letter dated the 3rd May the text of which you have telegraphed to me. The report and your letter naturally cover ground which His Majesty's Government did not feel called upon to survey in detail, but their consideration of the matter has led them to definite decisions upon certain of the more important questions arising out of the report, and they have desired me to communicate to you in my reply to your letter their considered statement of these decisions The paragraphs numbered 2 to 8 of this despatch contain accordingly this statement.

2. *General.*—The report of Lord Hunter's Committee presents the results of a prolonged and patient investigation. Their labours would be of little value if their very complete and careful findings are not put to a practical use. The conclusions here recorded have been inspired in the main by the belief that the chief duty which lies upon His Majesty's Government and the Government of India in utilising the report is not primarily to apportion blame to individuals for what has been done amiss or to visit penalties upon them, but rather to prevent the recurrence in the future of occasion for blame or regret should unfortunate circumstances ever produce again a situation such as that which occurred in India in the spring of 1919.

3. *The conduct of Brigadier-General Dyer at Amritsar on April the 13th.*—The main features of the occurrence at Jallianwala Bagh in Amritsar City on the afternoon of April the 13th, 1919, are well known. They are set out at length in Lord Hunter's report and appear in minute detail in the evidence, both written and oral, given before the Committee by Brigadier-General Dyer himself, the full and authorised text of which is now available to the public. As to the facts, there is no doubt and no dispute, and it is only necessary here to recapitulate them very briefly in their baldest form. On the morning of April the 13th Brigadier-General Dyer, who had arrived at Amritsar on the night of

the 11th, issued a proclamation forbidding *inter alia* processions to parade in or outside the city and declaring that "any such procession or gathering of four men will be looked upon and treated as an unlawful assembly and dispersed by force of arms if necessary." This proclamation was read out at various places in the city, in the course of the progress through the streets of a column of troops led by Brigadier-General Dyer personally, who left his quarters about 9 A.M. for this purpose and returned to them about 1-30 P.M. About an hour before his return to his quarters in Ram Bagh Brigadier-General Dyer had heard that despite his proclamation it was intended to hold a large meeting at Jallianwala Bagh at 4-30 that afternoon, and at 4 P.M. he received a message that a crowd of about 1,000 had already assembled there. Shortly after 4 P.M. Brigadier-General Dyer marched from Ram Bagh with picketing parties (as he had previously determined to picket the main gates of the city) and with a special party consisting of 50 Indian Infantry armed with rifles, 40 Indian Infantry armed only with "Kukris" (type of sword), and two armoured cars. He proceeded straight to Jallianwala Bagh dropping his picket parties *en route* and on arrival marched his infantry through a narrow lane into the Bagh and deployed them immediately right and left of the entrance. The armoured cars he left outside, as the lane was too narrow to admit them. Having deployed his troops Brigadier-General Dyer at once gave orders to open fire and continued a controlled fire on the dense crowd facing him in the enclosure (which he estimated at about 5,000 persons) for some 10 minutes until his ammunition supply was at the point of exhaustion. 1,650 rounds of ·303 mark VI ammunition were fired. The fatal casualties as the result of this action are believed to be 379; the number wounded has not been exactly ascertained, but is estimated by Lord Hunter's Committee at possibly three times the number of deaths. Immediately after giving orders to cease fire, Brigadier-General Dyer marched his troops back to Ram Bagh. The reasons given by General Dyer for the severity and duration of his fire are stated as follows in his written statement furnished to the General Staff (16th Indian Division) and subsequently laid before Lord Hunter's Committee: "We cannot be very brave unless we be possessed of a greater fear. I had considered the matter from every point of view. My duty and my military instincts told me to fire. My conscience was also clear on that point. What faced me was, what on the morrow would be the "Danda Fauj" [this, which may be translated as bludgeon army, was the name given to themselves by the rioters in Lahore]. I fired and continued to fire until the crowd dispersed, and I consider this is the least amount of firing which would produce the necessary moral and widespread effect it was my duty to produce if I was to justify my action. If more troops had been at hand, the casualties would have been greater in proportion. It *was no longer a question of merely dispersing the crowd*, but one of producing a sufficient moral effect, from a military point of view, not only on those who were present, but more especially throughout the Punjab. There could be no question of undue severity."

The principle which has consistently governed the policy of His Majesty's Government in directing the methods to be employed, when military action in support of the civil authority is required, may be broadly stated as using the minimum force necessary. His Majesty's Government are determined that this principle shall remain the primary factor of policy whenever circumstances unfortunately necessitate the suppression of civil disorder by military force within the British Empire.

It must regretfully but without possibility of doubt be concluded that Brigadier-General Dyer's action at Jallianwala Bagh was in complete violation of this principle. The task which confronted him was to disperse by force if necessary a large but apparently unarmed assembly which had gathered in defiance of his orders. It is possible that considering the strength of the military force at his disposal, the size of the crowd, and the general temper and attitude of the inhabitants of the city, he would have found it impossible to achieve this task effectively and completely without some firing and without causing some loss of life. But it is certain that he made no attempt to ascertain the minimum amount of force which he was compelled to employ, that the force which he actually employed was greatly in excess of that required to achieve the dispersal of the crowd, and that it resulted in lamentable and unnecessary loss of life and suffering. But this is not a full statement of Brigadier-General Dyer's error. There can be no doubt that large numbers of people in the assembly, many of whom were visitors to the city from surrounding villages, were ignorant of the existence of his proclamation and the danger which they ran by attending the gathering. The proclamation was published in only a portion of the city, that portion being some distance from the scene of the meeting, and no warning of any kind was given before fire was opened. It would be unfair, considering the state of the city, the heat of the weather and the strain to which the troops under General Dyer's command had been subjected since their arrival in the city to lay too great stress upon the first point, but the omission to give warning before fire was opened is inexcusable. Further, that Brigadier-General Dyer should have taken no steps to see that some attempt was made to give medical assistance to the dying and the wounded was an omission from his obvious duty. But the gravest feature of the case against Brigadier-General Dyer is his avowed conception of his duty in the circumstances which confronted him.

His Majesty's Government repudiate emphatically the doctrine upon which Brigadier-General Dyer based his action—action which to judge from his own statement might have taken an even more drastic form had he had a large force at his disposal and had a physical accident not prevented him from using his armoured cars. They have not overlooked the extreme gravity of the situation as it presented itself to the authorities in India generally and to Brigadier-General Dyer in particular on April the 13th, nor have they failed to appreciate the immensity of the responsibility which Brigadier-General Dyer felt and rightly felt to be imposed upon him by that situation. They think it is possible that the danger to the lives of Europeans and to the safety of the British and

Indian troops was greater than appears from the Committee's report. In Amritsar itself violent murder and arson of the most savage description had occurred three days previously and the city was still practically in possession of the mob. From the surrounding country-side reports were hourly being received of similar violent outbreaks and attacks upon communications, and the deficiencies in these reports (due to the success of the attacks on communications) were supplemented by rumours which there was little means of verifying and as little ground for disbelieving. In discharging this responsibility with the small force at his disposal Brigadier-General Dyer naturally could not dismiss from his mind the conditions in the Punjab generally and he was entitled to lay his plans with reference to those conditions. But he was not entitled to select for condign punishment an unarmed crowd which, when he inflicted that punishment, had committed no act of violence, had made no attempt to oppose him by force, and many members of which must have been unaware that they were disobeying his commands.

In passing judgment upon Brigadier-General Dyer for his action on April the 13th, it is impossible to disregard an order which he passed some six days later, and which has become generally known as the "crawling order." It is unnecessary here to repeat the nature of this order or the circumstances out of which it arose. Had the order been carried out as a punishment upon the persons actually guilty of the crime, which it was designed to stigmatise, it would have been difficult to defend; inflicted as it was upon persons who had no connection with that crime, with the object of impressing upon the public of Amritsar through the humiliation of those persons the enormity of the crime committed by certain individuals of that public, the order offended against every canon of civilised Government.

Upon a military commander administering martial law in a hostile country there lies a grave responsibility; when he is compelled to exercise this responsibility over a population which owes allegiance and looks for protection to the Government which he himself is serving, this burden is immeasurably enhanced. It would prejudice the public safety, with the preservation of which he is charged, to fetter his free judgment or action either by the prescription of rigid rules before the event or by over-censorious criticism when the crisis is past. A situation which is essentially military must be dealt with in the light of military considerations, which postulate breadth of view and due appreciation of all the possible contingencies. There are certain standards of conduct which no civilised Government can with impunity neglect, and which His Majesty's Government are determined to uphold. Subject to the due observance of those standards, an officer administering martial law must, and will remain free to carry out the task imposed upon him in the manner which his judgment dictates to him as best and most effective, and may rely upon the unqualified support of his superiors when his task has been accomplished.

That Brigadier-General Dyer displayed honesty of purpose and unflinching adherence to his conception of his duty cannot for a moment

be questioned. But his conception of his duty in the circumstances in which he was placed was so fundamentally at variance with that which His Majesty's Government have a right to expect from and a duty to enforce upon officers who hold His Majesty's commission, that it is impossible to regard him as fitted to remain entrusted with the responsibilities which his rank and position impose upon him. You have reported to me that the Commander-in-Chief has directed Brigadier-General Dyer to resign his appointment as Brigade Commander and has informed him that he would receive no further employment in India, and that you have concurred. I approve this decision and the circumstances of the case have been referred to the Army Council.

4. *The justification for the declaration and continuance of martial law.*—There are no grounds for questioning the decision of the majority of Lord Hunter's Committee that the declaration of martial law and the partial supersession of the ordinary tribunals in the districts of the Punjab in which martial law was applied were justified (Chapter XI, paragraph 17). As regards the dates to which it was prolonged, it is obvious that the institution of martial law involves the responsibility of deciding when it is to be revoked. The general principle is clear that martial law should remain in force no longer than the public safety demands, but beyond this there are no hard and fast criteria which can govern this decision, and a retrospective judgment in the light of after-events is not permissible. The fact that open disorder had ceased some time before martial law was revoked may have been due to the existence of martial law and its earlier abrogation might have been followed by a recrudescence. Looking back in the light of events, it is permissible to argue that an earlier abrogation was possible, though His Majesty's Government can feel little doubt that this argument would have been less pressed than it has been, had there been no grounds for complaint of the manner in which in some cases martial law was administered. But it is not permissible to condemn the authorities responsible for the decisions taken, who had to rely only on their anticipation of the future.

5. *The justification for Ordinance IV of 1919 giving the Martial Law Commissions jurisdiction to try any offence committed on or after March the 30th.*—The legality of this ordinance is not a point at issue; that question has been recently determined by the Judicial Committee of the Privy Council. Nor is there any valid reason to question the propriety, when (as was the case here) it can legally be done, of ante-dating the effect of an enactment setting up special martial law tribunals and procedure, so as to bring within their jurisdiction persons charged with overt acts of violence, which were the immediate cause of and justification for the declaration of martial law. The original ordinance setting up Martial Law Commissions in the Lahore and Amritsar Districts gave the Commissions jurisdiction to try offences committed on or after April the 13th. Had this date remained unamended, it would have been impossible to try by Commission persons charged with actual participation in the murders, incendiarism and destruction of property which

occurred on April the 10th at Amritsar, or persons charged with participation in the riots at Lahore on April the 10th, 11th and 12th, and in the murders at Kasur on the 12th ; and if the Government of India with the legal power at their disposal had neglected to correct the anomaly to this extent, they would have omitted an obvious and necessary step towards the rapid restoration of normal conditions. But the use of the power which the ordinance gave in order to apply the special martial law method of trial to persons whose offence consisted in newspaper articles and speeches which were not demonstrably and immediately the cause of the outbreak of open disorder, stands on an entirely different footing and the terms "unfortunate" and 'imprudent" which the majority of Lord Hunter's Committee applied to this policy are at all events not exaggerated criticism.

Taking into consideration the acts committed under Ordinance IV of 1919, which it is impossible not to disavow, His Majesty's Government can feel little doubt that the terms of the ordinance itself were too wide, and that the drafting of any future ordinance of a similar kind should ensure due limits to its application.

6. *Administration of Martial Law.*—There is one question with regard to which it is impossible to avoid the conclusion that the majority of Lord Hunter's Committee have failed to express themselves in terms which, unfortunately, the facts not only justify but necessitate. In paragraphs 16 to 25 of Chapter XII of their report the majority have dealt with the "intensive" form generally which martial law assumed, and with certain specified instances of undue severity and of improper punishments or orders. It is unnecessary to recapitulate the instances which the Committee have enumerated in detail in both their reports, nor would any useful purpose be served by attempting to assess, with a view to penalties, the culpability of individual officers who were responsible for these orders, but whose conduct in other respects may have been free from blame or actually commendable. But His Majesty's Government must express strong disapproval of these orders and punishments, and ask me to leave to you the duty of seeing that this disapproval shall be unmistakably marked by censure or other action which seems to you necessary upon those who were responsible for them. The instances cited by the Committee gave justifiable ground for the assertion that the administration of martial law in the Punjab was marred by a spirit which prompted—not generally, but unfortunately not uncommonly—the enforcement of punishments and orders calculated, if not intended, to humiliate Indians as a race, to cause unwarranted inconvenience amounting on occasions to injustice, and to flout the standards of propriety and humanity, which the inhabitants not only of India in particular but of the civilised world in general have a right to demand of those set in authority over them. It is a matter for regret that, notwithstanding the conduct of the majority, there should have been some officers in the Punjab who appear to have overlooked the fact that they were administering martial law, not in order to subdue the population of a hostile country temporarily occupied as an act of

war, but in order to deal promptly with those who had disturbed the peace of a population owing allegiance to the King-Emperor, and in the main profoundly loyal to that allegiance. It is difficult to believe that this would have occurred had the civil authority been able to retain a larger measure of contact with the administration of martial law, and it is of paramount importance, if in the future it should unfortunately be necessary to have recourse to martial law, that some system should be devised which will secure such contact effectively.

A review of the methods and results of the trials by the summary procedure of martial law tribunals would be uncalled for. It is not, however, improper to observe that marked attention has been directed to its disadvantages, and to the extreme divergence between the sentences required by the charges as presented to those courts and by the dictates of justice as they presented themselves to the reviewing authorities. It is to be hoped that, as a result of the experience thus gained, means will be devised whereby martial law tribunals can be improved if they have again to be employed.

7. *The use of bombing aeroplanes at Gujranwala.*—With regard to the use of bombing aeroplanes at Gujranwala on April the 14th the majority of Lord Hunter's Committee expressed their views as follows: "As to the use of bombs from aeroplanes we do not think that this would be defended by any one save in cases of urgent need, in the absence of other means, and under the strictest limitations even then. In our opinion the first two of these conditions were present in full force" ....."We are not prepared to lay down as a charter for rioters that when they succeed in preventing the ordinary resources of Government from being utilised to suppress them, they are to be exempt from having to reckon with such resources as remain." They then proceed to state that no blame can be imputed to the flying officers concerned for carrying out the instructions given to them, but that the action taken under the instructions given illustrates their defectiveness, and they conclude by a recommendation that the formulation of instructions to be given to flying officers in future in similar circumstances should form the subject of careful investigation.

In formulating these conclusions, His Majesty's Government desire to state clearly that reconnaissance, communications, propaganda-dropping and moral effect summarise the normal and correct use of aircraft under conditions of unrest in normally peaceful countries. But emergencies may occur when, owing to distances, or damage to communications, or both, and the progress of murderous mob violence and arson which there is no other means of checking, exceptions from the general position are not only justified but necessary. It is impossible to guarantee by general or special instructions that machine guns or bombs will affect only the crowd which would be justifiably fired upon if troops were available on the ground. But in future explicit orders must be required for the employment of armed aircraft in such emergencies: these orders should be issued in writing by a civil authority, and should authorise only a limited amount of bombing and machine gunfire to

be employed to overawe mobs, which are, so far as the airman can judge, actually engaged in crimes of violence. The Government will see to it that instructions on these lines are issued as soon as possible. They regretfully agree with Lord Hunter's Committee that the instructions issued to the airmen who visited Gujranwala on this occasion left much to be desired in precision.

8. *Sir Michael O'Dwyer.*—It follows from what has been said in earlier paragraphs that on certain points arising out of this enquiry His Majesty's Government do not regard Sir Michael O'Dwyer as immune from criticism. Thus they cannot endorse the unqualified approval which he accorded on insufficient information to the action of Brigadier-General Dyer at Jallianwalla Bagh and they think it unfortunate that he did not adhere at the time to his first impulse to withhold both praise and blame on a matter with which as a civil officer he was not in the circumstances directly concerned. The motives which evidently prompted him to adopt another attitude and to maintain that attitude subsequently and in the light of fuller knowledge are less open to criticism.

Secondly, the opinion already expressed on the application of martial law procedure to certain trials must be taken as applying to Sir Michael O'Dwyer in so far as he was personally responsible for the action in question. As regards the administration of martial law generally Sir Michael O'Dwyer had evidently contemplated arrangements by which civil officers would be accorded a recognised position to advise on military administration, and the martial law manual which your Government have under consideration should ensure that in future this plan is brought into operation.

With the general question of Sir Michael O'Dwyer's administration of the Punjab His Majesty's Government are not now immediately concerned. They recognise that it has formed the subject of much controversy in India and that a widespread impression has been engineered that the Punjab Government under his direction was hostile to the educated classes and was determined to suppress not only illegitimate but also legitimate and constitutional political agitation. While they sincerely trust that this atmosphere may be dispelled, they are fully conscious of the difficulties of the situation with which he was faced. Conspiracy, the activity of enemy agents, the rise in the cost of living and the necessity of furnishing the bulk of the vast number of recruits for the Indian Army which the needs of the Empire required, though fortunately powerless to disturb the loyalty of the province as a whole, caused constant anxiety throughout his term of office. That term is now closed, a long and honoured connection with India is ended, and His Majesty's Government desire here to pay a tribute to the great energy, decision and courage which Sir Michael O'Dwyer brought to his task through a period of exceptional difficulty and to express their appreciation of his services.

9. As to the conclusions which Your Excellency's Government have recorded on other matters arising out of this report, I am glad to find that I am in general accord with your views save in so far as otherwise

appears from the foregoing paragraphs and I have little further to add at the present moment. Your Excellency's Government will, however, understand that the publication of documents in which the public, both in India and in this country, is vitally interested is not necessarily a final settlement of all the large questions involved. In particular I shall expect you to submit for my early approval the draft of the martial law manual which you have under consideration. To this matter I attach the utmost importance. I need hardly say that I most earnestly trust that occasion may never arise for the enforcement of such rules. But this enquiry will have served a valuable purpose if it results in the enactment of a code of regulations calculated to ensure, so far as human foresight can serve, a system of administration which is at once adequate to repress disorder, to secure the speedy, just and fitting punishment of its promoters, and which yet subverts no more than the fulfilment of these requirements necessitates the ordinary rights and course of life of the people at large, and adheres to the processes of civil justice and Government. For in view of conditions which threaten the existence of the State, martial law is a necessary remedy, but it is a remedy which unless applied with wisdom and good judgment loses its value. It is therefore incumbent upon us to do all in our power to prevent the depreciation of its value by misuse. The same observations apply in my judgment to deportation, an expedient which in its present form it is so notoriously difficult to employ and the effects of which are so incapable of exact estimation.

10. His Majesty's Government found it necessary to criticise in strong terms the conduct of certain officers charged with the administration of martial law and Your Excellency's Government have indicated that all proved cases of abuse of their powers on the part of subordinate officers of the police and other services will receive due notice. But these exceptions apart His Majesty's Government desire me to express to you in no uncertain terms their warm endorsement of your appreciation of the conduct of officers and men both civil and military, both British and Indian, upon whom fell the heavy task of assisting the people of India to recover their fair name for loyalty and orderliness. The burden thus imposed upon officers and men of His Majesty's British and Indian armies, of his police force and of his civil services who had already borne with fortitude but not without fatigue the trials and strain arising from a long drawn war, was a heavy one. In setting themselves to their task these men proved true to the great traditions of their services.

His Majesty's Government wish further to express the profound regret which they, equally with Your Excellency's Government, feel for the loss of life which these disturbances occasioned, and their deep sympathy with those to whom the events have brought personal bereavement.

11. In conclusion I am glad to have this opportunity of assuring Your Excellency of the sense of obligation which His Majesty's Government feel to you personally for the manner in which you have fulfilled

your high trust. Great as is always the burden borne by the Governor-General of India, world-wide circumstances have combined to lay upon you a degree of anxiety such as has only at long intervals fallen upon any of your illustrious predecessors. His Majesty's Government desire that you should be fortified by the knowledge that they continue to repose the fullest confidence in Your Excellency's discretion, inspired as they feel certain it has constantly been by the single aim of the good of the peoples whose Government is committed to your charge.

I have the honour to be,

MY LORD,

Your Lordship's most obedient humble Servant,

(Sd.) EDWIN S. MONTAGU.

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Ahmedabad City.

Bombay Presidency.

Amritsar City.

Amritsar District

Lahore City.

Lahore District.

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Majority Report

MAJORITY REPORT.

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CHAPTER I.

Delhi.

1. The first outbreak occurred in Delhi * on 30th March 1919. On that date a *hartal*, (*i.e.*, a shutting of shops) was held in the city, as part of Mr. Gandhi's passive resistance movement against what is known as the Rowlatt legislation. Mr. Gandhi's original intention, at least as understood in Delhi, was that the 30th of March should be observed throughout India as a day of abstinence from work and general mourning in protest against the Government's action in passing Rowlatt Bill No. 2. The date for this all-India *hartal* was ultimately altered to, or fixed as, the 6th April ; but in Delhi it had been resolved by those in sympathy with Mr. Gandhi's action that a *hartal* should take place on 30th March. Accordingly it took place and with very great success in the sense that shops both Muhammadan and Hindu were closed and business was brought to a standstill in the city.

30th March. "Hartal."

2. Early in the morning of 30th March crowds collected of those who were observing the day as one of fasting and abstinence from work. There is evidence that they objected to people riding in *tongas* † and motor cars and showed their objection in certain cases by getting people to alight from vehicles in which they were driving.

Crowds enforce "Hartal."

3. A considerable number of people went early in the forenoon of the 30th March to the Railway Station, Delhi. There they endeavoured to get the vendors of refreshments at the 3rd class refreshment room to abstain from work and join with them in their *hartal*. The contractor, an old deaf man, explained that he was under contract with the railway authorities to keep his stalls open for the sale of goods to passengers by trains and therefore could not close his shop as requested. This explanation did not satisfy the crowd. They proceeded to seize and drag the contractor to the entrance ; in the scuffle he was hurt. About this time too Mr. Matthews, Deputy Station Superintendent, had the coat torn off his back but in the absence of Mr. Matthews the evidence as to the exact sequence of this incident is not entirely clear. In any case the railway police quite properly interfered. They arrested two men but these men do not appear to have been detained for any considerable time.

At the Railway Station.

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* For map see appendix.

† Pony Carts

4. The temporary arrest of the men appears to have evoked great excitement and caused numbers of people to invade the main station building streaming across the platform, stopping all work, and using threats of violence. Mr. Yule, District Traffic Superintendent, was among those threatened. Although they were driven out of the station the crowd remained in numbers in the station yard in front of the station on Queen's Road, off which road is the main entrance to the station. They refused to accept the official assurance, which was given to them, that there were no men in custody; and continued to demonstrate, obstructing and finally stopping traffic at the station, notwithstanding that some members of the public had been taken over the station buildings to satisfy themselves that no one was there in arrest and had declared this to the crowd. While the people were being cleared out of the station building some railway property was destroyed, but it does not appear that this was done intentionally.

Crowds become intractable.

5. Mr. Currie who was acting as Additional District Magistrate and Mr. Jeffreys; Additional Superintendent of Police, arrived at the station about 1 o'clock. The latter gentleman had a police force of between 40 and 50 under him. Meantime the civil authorities had communicated with General Drake Brockman who was in command of the troops in Delhi, and a picket of 30 men and a sergeant under Lieutenant Shelford were sent from the fort to the railway station where they arrived shortly after one. These men were armed with rifles, bayonets and the regulation number of 20 rounds of ammunition each. In addition to this military force there were some 15 or 20 British soldiers travelling through Delhi who are held up at the station. There was also a company of 250 Manipuris on their way home from Mesopotamia but their presence was not known to Mr. Currie, and, in any event, their employment was a matter of difficulty as they did not know either English or Urdu, and apparently understood only their own officer. Lieutenant Shelford divided his force into 2 parties, one of 15 men under Sergeant Kemsley and the other of equal strength under himself. He increased his own force by going to the station and getting 15 non-commissioned officers and men of the small force above referred to armed from the ammunition store at the station.

Police and military forces.

6. The crowd in front of the station was increasing in numbers and their attitude was gradually becoming one of hostility to the authorities. When Mr. Jeffreys, who was mounted, arrived in the station yard he found it packed. People began poking at his horse with sticks. The horse backed out of the yard into the road and the crowd followed. There they saw the armed constables of Mr. Jeffreys drawn up in line. Mr. Currie vainly endeavoured to get the crowd to break up. They kept clamouring for the release of two of their number and refused to disperse although informed that there was no one detained in custody.

In the yard and on the road.

Mr. Marshall, Senior Superintendent of Police, with a small force of mounted police arrived at about a quarter to 2 o'clock.

In Queen's Gardens. Firing.

7. The crowd were pressed back across Queen's Road into Queen's Gardens by a line of police supported by soldiers. Bricks were being thrown at the police and military. Mr. Jeffreys had several aimed at him, one of which struck him on the hand. The situation had become serious, the crowd having got completely out of hand. As it was pressed through the gates into Queen's Gardens, the railings, not very securely fixed, were pushed down for some distance. When through the gates the crowd seems to have increased in hostility, and finding stones, bricks and some convenient cover near its new position redoubled its efforts, throwing stones and bricks from the garden on to the soldiers and police. Mr. Marshall called out to Mr. Currie that they would have to fire. Mr. Currie finally sanctioned this being done and the mob was fired upon by the force under Sergeant Kemsley and by the police under Mr. Marshall and Mr. Jeffreys. Before the firing took place a considerable proportion of the police force under Mr. Jeffreys had been wounded by missiles thrown at them by the crowds. A little later in the same afternoon Mr. Barron, Chief Commissioner, found the place littered with bricks and stones. The force available to deal with the crowd at the Queen's Gate was about 16 armed constables near the gate, 8 or 10 mounted constables, about a dozen unarmed constables and 15 men under Sergeant Kemsley. Lieutenant Shelford had taken half of his original force, and the additional men obtained from the station, to clear away other portions of the crowds by forcing them to retire along Queen's Road. The firing lasted a few seconds. As the result thereof 2 or 3 men were killed and several wounded. The dead bodies were taken into the station.

At the Town Hall. Firing.

8. After this firing the crowd retreated through the Queen's Gardens towards the Town Hall and Chandni Chowk, the main bazaar in the city. Precautions were taken to prevent the crowd returning to the station. Shortly after the retreat of the crowd, news reached Mr. Jeffreys of a row near the Town Hall. He was instructed by Mr. Marshall to go there and on arriving found a large crowd inside the western gate leading from the gardens to Chandni Chowk at the side of the Town Hall. This crowd was facing a small body of police—some 17 constables, mostly armed, under a sub-inspector whose orders were to prevent the crowd from returning to the station. The police were being pelted with missiles from the crowd who refused to disperse although requested to do so by some of the constables in front. The stone throwing increased on Mr. Jeffreys' arrival; his horse as well as himself were hit time and again: finally he had to get off and the horse bolted. Mr. Jeffreys had withdrawn his force slowly to the point at which the front face of the Town Hall guarded his left flank. On his other hand, however, there was considerable open space containing a line of bushes and he was afraid of being rushed from this direction. The crowd

continued to advance, some of them attempting to use the line of bushes on his exposed right flank. Finally he gave an order to the 4 men on the extreme right to fire one round in the direction of the bushes, in order to clear his flank and because of the missiles coming from that direction. One man was killed but the crowd moved forward throwing bricks at the police force. Mr. Jeffreys then ordered his 12 constables to fire a second " volley." This did not have much effect and the crowd continued to advance. A British picket (15 men under Sergeant Kemsley) then came up, and according to Mr. Jeffrey's statement fired off two " volleys " in the air. This only irritated the crowd and they charged the British party, who then lowered their rifles and fired into them causing them to disperse. As a result of this the total number of persons killed by the firing on this day was increased to 8. Only a dozen or so of wounded persons came to hospital for treatment but the number of the wounded on this day would exceed this figure substantially. It was suggested to us that the crowd at the Town Hall were wanting to return to the railway station in order to obtain the bodies of those killed in the previous firing there. We do not think that this is so but, if true, it does not seem to us to affect the conduct of the authorities in the circumstances above detailed.

The Manipuris.

9. Another incident of the 30th March may be noted. Mr. Munshi Ram now known as *Swami* Shraddhanand, President of the Reception Committee of the Indian National Congress, 1919, addressed a large meeting of people in the People's Park in the afternoon of that day. The Chief Commissioner himself went to this meeting, which he allowed to continue on being assured by the leaders present that it would be conducted in an orderly fashion. It passed off without disturbance. As *Swami* Shraddhanand was returning from this gathering followed by a considerable number of people he met a picket of 20 or 30 of the Manipuris who were being sent to the Kotwali to act as a reserve. As this crowd approached the picket a shot went off accidentally probably in the course of loading. No one was hit. Mr. Orde, Superintendent, C. I. D., explained that he came upon the scene when the crowd were facing the picket who did not understand what was being said to them. He persuaded *Swami* Shraddhanand to go away while he himself took the Manipuris to the Kotwali. The only importance of this incident is that it exemplifies the unsuitability of this particular force, suddenly plunged into strange surroundings and among strange people, for the purpose of dealing with highly excited crowd.

31st March. Funerals.

10. On 31st March large processions attended the funeral services of those who had been killed in the rioting on the previous day but no collision between the crowds and the police occurred.

6th April. Second " Hartal."

11. On 1st April shops began to open again. According to Mr. Gandhi's programme of passive resistance to the Rowlatt legislation there was, as already mentioned, to be a general *hartal* throughout

India on Sunday, 6th April. The Delhi leaders were not anxious, in view of what had occurred on 30th March, that there should be a second *hartal*, but the people or a considerable portion of them insisted, with the result that all the shops were again shut. A large meeting was held at the Fatehpuri mosque where, contrary to Muhammadan custom, Hindus were allowed to speak.

On 7th, 8th and 9th April shops were gradually opened but there was a considerable amount of excitement among the people.

10th April. "Hartal" after arrest of Mr. Gandhi.

12. On the evening of 9th April Mr. Gandhi, who was on his way from Bombay to Delhi, was stopped at a small station, Palwal in the Punjab. An order had been issued excluding him from the Punjab and the Chief Commissioner of Delhi had got permission from the Government of India to issue orders excluding him from Delhi and confining him to the Bombay Presidency.

News that Mr. Gandhi had been arrested and turned back quickly spread through the city. On 10th April there was again a very general closing of shops. Word came in the evening of that day of the serious occurrences at Amritsar and Lahore. The civil authorities arranged to have military precautions in full force on the 11th in case of trouble. No actual disturbance took place, but, as the Chief Commissioner expressed it, the collecting of crowds in the city looked unpleasant in places. Meantime the shops continued shut. Several meetings took place between the authorities and the leaders of the passive resistance movement. Although most of these leaders were now anxious to have the *hartal* terminated they were unable to persuade the people to adopt this course. They appeared to have lost control.

14th April. Assault on C. I. D. Inspector.

13. On 14th April a C. I. D. Inspector was very badly assaulted at a meeting that was being held at the King Edward Park. On the appearance of the District Magistrate and a troop of cavalry from the Queen's Gardens, where a military force was kept quartered, the people dispersed.

17th April. Firing by Ballimaran picket.

14. The continuance of the *hartal* and the failure of the leaders to persuade people to open their shops was causing the authorities a great deal of anxiety. On the 16th April it was resolved to send a number of police pickets down the streets to inspire confidence in people who wanted to open their shops. On the morning of 17th April a number of shops were opened. Some of the more unruly members of the Delhi mobs, however, went behind the pickets and endeavoured to close such shops as were opening. This led to the arrest of a man by the police and an attack was made on a head constable, who was knocked down and nearly killed, and then on a police picket at the end of Ballimaran Street where it joins the Chandni Chowk. The police were forced to fire in self-protection. About 18 people were reported as wounded with buckshots, two of whom subsequently died.

15. No disturbance occurred in Delhi after 17th April. On 18th April most of the shops in the suburbs of the city and a certain number in the main bazaar opened, while on the 19th the shops in the Chandni Chowk opened and the *hartal* was definitely brought to an end.

End of disturbances.

16. The outbreak at Delhi on 30th March arose out of the *hartal* held in connection with Mr. Gandhi's passive resistance movement started as a protest against the Rowlatt legislation. In connection with that movement Mr. Gandhi instituted a *Satyagraha* society in India. On 7th March 1919 he visited Delhi and, as a result of that visit, a local branch of the society was founded. A number of leading Indians joined this society but it never had a large membership. The oath taken by *Satyagrahis* bound them to offer civil resistance to such laws as might be selected by a committee consisting of Mr. Gandhi and one or two others. We shall have occasion to consider this movement in more detail when dealing with the disturbances in the Punjab. We may point out, however, that, while abstinence from violence in their resistance to laws was preached to the people by Mr. Gandhi and his disciples, "civil disobedience" to laws to be prescribed by a committee is not the same thing as "passive resistance" and in any case the spread of passive resistance on a wide scale throughout India will inevitably lead to outbreaks of riot and violence. This latter fact was recognised by Mr. Gandhi after a serious outbreaks in the Punjab occurred.

Causes. Civil Disobedience to Laws.

It is an old custom in India for people, especially Hindus, to shut their shops as a sign of mourning. The term *hartal* is applied to a general shutting of shops on such an occasion. *Hartal* has been not infrequently resorted to as a measure of protest against, or opposition to, something considered as oppression, *e.g.*, in Delhi itself the Hindus in 1917 had held *hartal* for 9 days because of Government's orders as to the Ram Lila procession route. Mr. Gandhi resolved to have a *hartal* held throughout India on a particular day as an indication of national disapproval of the Government's policy in passing the Rowlatt Bill. A great number of meetings were held throughout India in pursuance of this policy and there was considerable agitation connected therewith.

17. There is no doubt that the feeling against the Rowlatt Act was very widespread. Bitter speeches were made against it when it was before the Legislative Council. Wild rumours were circulated as to its effect. As examples of these rumours we were told that it was said that, under the Act, the police would have power to arrest any three or four men conversing together, that nobody would be allowed to own more than a certain amount of land, and that nobody would be allowed to marry without leave from Government. These and similar rumours were widely circulated and believed by the illiterate population who were not familiar with the provisions of the Act. So far as Delhi is concerned, it is not said that the political leaders were responsible for the circulation of these rumours. The worst thing alleged against them is, that they did not

Rowlatt Act and rumours.

deny the truth of the rumours and did not trouble themselves to explain the nature and effect of the provisions of the Act which they were denouncing.

18. The disturbances at Delhi never took the form of an *anti*-European and *anti*-Government movement. We are not satisfied that the boycotting of cars which occurred during the *hartal* was motived by *anti*-British feeling. The criminal investigation department of the police investigated the question whether there was any organised conspiracy against Government responsible for the outbreaks. No trace of the existence of such a conspiracy was discovered.

Nature of disorder.

When the *hartal* took place the people responded to it in a manner which neither the authorities nor the politicians themselves expected. The lower orders found themselves with nothing to do, readily found occasion for mischief, and their resentment at interference by the police speedily led to their getting out of control and committing acts of violence.

19. A certain amount of evidence was adduced before us as to general causes of unrest among the people of Delhi with which we may deal briefly. In recent years there has been a great deal more political agitation in Delhi than was previously the case. This is only a natural consequence of Delhi having become the capital of India. During the winter previous to the outbreaks, the All-India Congress and the Muslim League had met in Delhi. The meetings of the Legislative Council, at which the Rowlatt Bill was discussed, were held in Delhi in February. The discussions arising out of these meetings would lead to a good deal of excitement and feelings of antagonism to the policy of the Government would no doubt be roused. Some witnesses suggested that dissatisfaction existed among the people because it was supposed that the Deputy Commissioner was unsympathetic towards all forms of political activity.

General causes of unrest.

Among the poorer classes there was a feeling of disappointment that prices after the armistice had not fallen to their pre-war level. So far was this from being the case, that prices of many of the necessaries of life had risen rather than fallen since that date, and by many this was no doubt made a cause of complaint against Government. In India as in European countries the termination of the great war has been followed by a period of unsettlement and general unrest.

It may also be noted, because more than one witness brought the matter to our notice, that there is a very widespread dislike of the police among the people of Delhi.

20. It does not appear to us that it would be legitimate to attribute the outbreak to any material extent to any one or more of these causes. Something must, no doubt, be allowed for the ferment of the time, which Delhi had not escaped, but the actual collisions between the public and the authorities on the 30th of March were the bye-products—undesigned

Effect of general causes.

and unexpected—of the *Satyagraha* movement with its doctrine of civil disobedience to laws, and of the *hartal* which gave an opportunity for this doctrine to produce result in the action of numbers of the people.

Measures.

21. As regards the measures taken by the authorities to deal with the disturbances we think that these were adequate and reasonable. Martial law was never proclaimed, though the situation was so serious that the Chief Commissioner on 17th April applied to the Government of India for authority to declare martial law. Throughout the critical period of the disturbances the civil authority received assistance from the military in the quelling of the disturbances, the patrolling of the streets and the maintenance of order. There does not, however, appear to us to have been any provocative or unnecessary display of military power. We cannot assent to the criticism that the police should have kept themselves in the background and left the preservation of order to the "leaders" on the notion that the presence of policemen on duty in the streets can be taken by the crowds as hostile or provocative action on the part of the authorities.

Firing justified.

22. The chief question raised is whether or not firing on the mobs was justified on the three occasions when, as above indicated, this took place, *i.e.*, at the station and near the Town Hall on the 30th March, and in the Ballimaran Street on 17th April. In our opinion the answer must be in the affirmative so far as these three occasions are concerned. There is no doubt as to the right of the civil or military authority to fire upon an unlawful assembly if it is necessary for the public security that it should be dispersed and this cannot otherwise be effected. The firing by the Ballimaran picket was indeed done more as an act of self-protection against attack. On all the occasions to which we have referred recourse was only had to firing after the patience of those entrusted with the duty of maintaining public peace and order had been sorely tried and all reasonable efforts had been made to induce the crowd to disperse peacefully. In no case was firing continued longer than was necessary to achieve the legitimate object of restoring order and preventing a disastrous outbreak of violence.

Arrest of Mr. Gandhi.

23. There is no doubt that it was in consequence of Mr. Gandhi's being arrested and prevented coming to Delhi that a general *hartal* was started on the 10th and continued till after the 17th April. His presence at Delhi was naturally viewed with grave apprehension by the authorities. Whatever his own repugnance to any display of force might be, there was no guarantee that he would be able to get the people to carry out his instructions in the way desired by him. In asking for adherents to the *Satyagraha* vow and in engineering on so wide a scale a day of humiliation or mourning as a means of heightening feeling and making protest against an Act of the Indian Legislature, he had issued a distinct challenge to Government. What the effect of his being allowed to proceed on his contemplated journey would have been may be matter of

speculation; but his presence in Delhi after the incidents of the 30th March, and in the troubled days which followed, was naturally considered as a source of danger. Any collision between the police and Mr. Gandhi personally in Delhi would certainly have produced immediate trouble whatever had been the merits or the occasion.

Special constables.

24. Of the criticisms made before us upon the action of the authorities, the only one that requires to be noticed, arises out of the fact that, during the period of the disturbances, the Deputy Commissioner enrolled a number of the leading citizens as special constables. Several regulations as to uniform and reporting at the police station were issued which were strongly resented by the gentlemen who are enrolled in this force. The regulations objected to were recalled by the Chief Commissioner without compliance therewith having been insisted in. The special constables do not appear to have been called upon to render any services, and we think that, in all the circumstances, it was an error to enrol them at all though no great inconvenience was suffered by any one.

CHAPTER II.

Bombay Presidency.

(1) Ahmedabad.*

Ahmedabad and Mr. Gandhi.

1. Ahmedabad is the capital of Gujarat, with a population of nearly 400,000. It contains 78 mills, which employ about 40,000 workmen. Any important occurrence at Ahmedabad affects Viramgam and Nadiad, which are neighbouring towns in close touch with the capital city. Viramgam is 40 miles and Nadiad 29 miles distant from Ahmedabad. In April 1919 Ahmedabad and its neighbourhood were, like the Punjab, excited by various causes, especially the agitation against the Rowlatt Act. In recent years many political meetings had been held at which the doctrines of Home Rule were advocated by local and other speakers. Many branches of the Home Rule League were founded in Ahmedabad and the neighbouring district. A special feature of the situation was the particular interest taken by the people in Mr. Gandhi and his *Satyagraha* movement. Ahmedabad contains the *Satyagraha Ashram*, an educational institution established by Mr. Gandhi, in which he resides. The Gujarat *Sabha*, which is the oldest political association in Ahmedabad, and works as a District Congress Committee for the District of Ahmedabad, submitted a statement to us and appeared by counsel and led evidence at the enquiry held before us. One of the witnesses who was a member of this body informed us that " Mr. Gandhi has honoured Ahmedabad by making it his headquarters, and while he is loved and respected as a spiritual and political leader in the whole of India, the feelings of love and reverence cherished for him in this city are extraordinary."

"Satyagraha" Oath.

2. On 23rd February 1919 a meeting of the Ahmedabad branch of the Home Rule League was held to protest against the Rowlatt Bills. From this meeting the origin of the *Satyagraha* movement may be traced. On the following day a further meeting was held in Mr. Gandhi's *Ashram*. It was attended by representative Home Rulers from Bombay and a decision was taken to start a passive resistance campaign against the proposed Rowlatt legislation. A manifesto was drawn up and approved containing a form of oath to be taken by the members of the *Satyagraha Sabha* to refuse to obey the Rowlatt Bills, if passed, and such other laws as a committee to be appointed later were to decide. The exact terms of the oath,

* For maps of Bombay Presidency and Ahmedabad City see appendix.

which we quote in the part of our report dealing with the disturbances in the Punjab, appeared in the issue of the *Bombay Chroncile*, dated 2nd March. Mr. Gandhi was the first signatory of the vow, which was also signed by Miss Anasuya Sarabhai and prominent local Home Rulers including a number of barristers and pleaders. The branches of the Home Rule League all over Gujarat strongly supported the doctrines of the *Satyagraha Sabha* and held many meetings in connection with the movement in the provincial towns and villages. Posters appeared in many places containing quotations from Thoreau and incitements to the people to adopt disobedience to law. Among such posters the following may be quoted :—

Duty of the servants of the country.

1.

"The abodes of just and good men are jails in the kingdom in which men are unjustly imprisoned.
"It is shameful to obey the tyrannical rule.
"To oppose it is easy and good.

2.

"How can the atrocities of the Rowlatt Bill be stopped ?
"There is no atrocity if a thousand men refuse to pay taxes ; but to pay taxes to a Government which commits atrocities is to support such rule and thus encourage atrocities."

The agitation against the Rowlatt legislation was vigorously maintained all through the month of March particularly in the Ahmedabad and Kaira districts. Feelings of irritation and anger against the Government for the action they were taking were roused among the masses of the people.

Causes of outbreak.

3. In considering the cause of the outbreaks at Ahmedabad and in the district it must be kept in view that Mr. Gandhi and Miss Anasuya Sarabhai, one of his disciples, are held in special esteem by the mill-hands whose cause they supported in a dispute between the workers and the mill-owners in 1918. The mill-hands constitute an important part of the population of Ahmedabad. They were roused to acts of violence by the news of Mr. Gandhi's arrest and the false rumour of Anasuya's arrest. Until they heard of the arrest of the former their excitement had taken the form of peaceful demonstration. Their *hartal* on the 6th April was marked by no act of disorder or violence, although large crowds assembled to express grief and resentment towards the Government. On the 10th April, as soon as the people of Ahmedabad heard of Mr. Gandhi's exclusion from the Punjab and thought that he was under arrest, there was an immediate outbreak of disorder. We think that the Government of Bombay are right in saying in their statement to us that the rioters in Ahmedabad "were moved to behave as they did from personal more than political motives."

4. The news of Mr. Gandhi's arrest spread rapidly and caused great excitement. The mill-hands ceased work, and the shops in the city were closed. The Secretary of the *Satyagraha Sabha* issued a circular in the following terms :—

The outbreak on the 10th April.

> " The day before yesterday, *Mahatma* Gandhi started from Bombay for Delhi, Lahore, Amritsar, etc. On reaching Delhi yesterday night an order under the Defence of India Act was served on him requiring him not to go to Delhi, Punjab and other places and restricting him to Bombay. He disregarded the order ; he is therefore arrested. He has expressed his desire that all residing in the *Ashram* will celebrate this day and will do their work with double zeal and faith. It is requested that the whole public will respect his desire."

This exhortation was taken as an invitation to repeat the *hartal* of the 6th. It did not have a pacifying effect, and probably increased the excitement. The streets were filled with disorderly crowds, who enforced *hartal* and compelled persons in conveyances to get down and walk as a sign of mourning. The people were crying for Mr. Gandhi ; excited crowds stoned the police, and a cinema theatre was damaged, apparently because it had not observe *hartal* on the 6th April. If that had been all, the police could have dealt with the disorder, but one episode occurred of a serious nature, which rendered necessary the employment of military force.

5. Two European employees of a Mill (Messrs. Sagar and Steeples) who were driving through the town, were stopped by a crowd and forced to leave their conveyance. When they made a fresh attempt to proceed, by getting on a motor lorry of the Government dairy, the lorry was stopped and they were compelled to alight. Being then stoned by the crowd, they took refuge in a police *chowky*.* On attempting to proceed thence on foot, they were attacked by the mob and driven into a mill (*i.e.* the Beehive Mill near the Prem gate) where they were joined by a small party of armed police. The mob attacked the mill, wrecked a portion of it, and demanded the surrender of the Europeans. It has been suggested that one of these, when their conveyance was first stopped, used an impatient expression regarding Mr. Gandhi, but there is no determining evidence of this before us, and in any event, it could have afforded no excuse or justification for the action of the mob, who seem to have been mainly excited by the fact that they were Europeans. The police appear to have fired over the heads of the crowd with a view to intimidating them but without success. The people of the mill, fearing the complete destruction of their premises, would not allow the Europeans and police to remain. The two Europeans therefore came out, accompanied by four policemen. The party was at once set upon by the mob, and the police fired in self-defence, wounding twelve persons. One of the Europeans escaped to a private bungalow. The other with

Attack on two Europeans.

* Outpost.

the four policemen ran, pursued by the crowd, up on to the balcony of a house overlooking the street. There they were stoned by the mob, some of whom proceeded to rush the house while others lighted fires below with the object of burning out the fugitives. The latter broke through a back wall and all but one escaped, just as the rioters were forcing their way up the staircase. One policeman was captured, and thrown from the balcony into the road, where he was assaulted by the mob and received injuries from which he died later in the day. Meanwhile news having reached Mr. Chatfield, the District Magistrate, he arranged with the Superintendent of Police for the despatch of such men as were available. Twenty-four armed police were sent from the headquarter lines, and afterwards the District Magistrate and Superintendent of Police followed them to the scene of the disturbance. There they saw that the police had been absorbed in a dense crowd, and that the position was serious. Their motor-car was therefore sent to the Camp, with a note to Colonel Frazer, the Officer Commanding, requesting the despatch of troops. Meantime the District Magistrate and Superintendent of Police, having collected a few armed policemen from a neighbouring *chowky*, proceeded on foot and were able to push their way to where the twenty-four police were standing surrounded by a threatening mob. The police had in custody five persons whom they had arrested, and were protecting some wounded constables, one of these being the man who had been thrown from the balcony. With the help of the armed force available, the District Magistrate and Superintendent of Police were able to maintain their position during an hour and a half, until the troops arrived. They could hold the mob, but were unable to disperse it or restore order. The crowd were unruly and pressed forward upon the police, and a few stones were thrown but otherwise there was no actual attack. The mob were persuaded by a *Satyagrahi* to allow the removal to hospital of the dying constable, but they were dangerously excited and it was thought prudent to release the prisoners.

Military assistance.

6. On receiving Mr. Chatfield's request for military assistance, Colonel Frazer despatched 200 men from the 1-97th Infantry to the scene of disorder, he himself going in advance. On his arrival at the Prem gate, he found Mr. Chatfield surrounded by a large crowd not actually doing harm at the time, but talking loudly and shouting. With his troops Colonel Frazer cleared the streets and the crowd dispersed. It was now evening —the troops had arrived about 6-45—and the crowds were attracted from the city to attend a meeting in the river-bed, where they were addressed by their political leaders. This meeting apparently had a pacifying influence upon the people. Thus the disturbances of the 10th April came to an end. There was no firing on the people on that day, except when the police, who were with Messrs. Sagar and Steeples, fired in self-defence. The troops did not fire.

The morning of the 11th April.

7. During the night of the 10th, military guards were kept at the Prem gate and near the railway station, where the principal rioting had taken place, and armed police were posted at various points.

As regards the suggestion that military forces should have been stationed in the city, the precautions we have referred to appeared to Mr. Chatfield to be sufficient, and after the explanation given by him to us, we think he exercised a reasonable discretion. The night passed quietly, but the disorder was not at an end. On the contrary, the 11th April was marked by disturbances of great violence, requiring an extensive use of military force. On this day the people acted in complete defiance of authority, and showed definite hostility towards the Government. Their feelings were also excited against Europeans. The excitement of the previous day was now heightened by a rumour that Miss Anasuya Sarabhai had been arrested. This rumour seems to have arisen from the fact that she did not arrive at Ahmedabad from Bombay by an early train by which she was expected. The author of the false rumour has not been traced. A large crowd of mill-hands soon collected in front of the military guard at the Prem gate. Mr. Chatfield, the District Magistrate, thus described the situation :—

> "The first incident on the 11th was, when the District Superintendent of Police and I went down to the Prem gate where the riot had occurred on the previous day, we discovered the platoon which was stationed there was confronted by a crowd and the officer in charge complained to us that his men were annoyed. They were jeered at and it appeared to us that there was some danger and that trouble might arise on this account."

They then drove to the Beehive Mill where they had a conversation with the officer in charge of the military guard. At this point some *Satyagrahis* drove up in a cart and the District Magistrate asked them to use their influence with the crowd to get them to go away and not to stand round the military guard. They agreed to do so and they were more or less successful in getting the crowd to move away although they soon returned. Meantime large crowds had collected in the Pan Kor Naka in the centre of the town. As the District Magistrate continued his tour through the city, the car, in which he was driving with the District Superintendent of Police, was stoned and at one place, as they passed the mouth of a narrow street, they noticed a very large mob armed with *lathis** and apparently bent on mischief coming up the street. On seeing this mob they realized that the situation was dangerous and drove to the Camp for military assistance. The mills had been closed down ; the shops had not opened and crowds of men, mad with excitement, were moving about the streets. They were entirely beyond the control of their political leaders.

On reaching the Camp Mr. Chatfield saw Colonel Preston who was acting for Colonel Frazer. That officer at once ordered 300 men (Indian troops) to proceed to the city under Major Kirkwood. Shortly after arrangements were made for an additional 200 men being sent to reinforce these troops. Colonel Preston himself motored to the city along

* Long heavy stick, usually of bamboo. A quarterstaff.

with Mr. Chatfield and the District Superintendent of Police. The first troops were got ready to march a little after 10 and reached the city about 11 o'clock.

8. Meantime the mobs in the city had broken out into acts of incendiarism and violence. One crowd collected in the *Bhadar*, and began by setting fire to a large mandap erected for a matriculation examination. They then proceeded to burn all Government buildings in the locality, including the Collector's office, the record rooms, the sub-registrar's office, the city magistrate's office and the city survey office over the gate of the sub-jail. They were fired on by the police from a neighbouring *chowky*, but continued their work of destruction. They advanced on the Bank of Bombay, but were fired on by the armed police guard and driven off. The sub-jail also was saved, by the guard there firing on the crowd, but the main entrance of the building was burned down and one prisoner escaped. The mob at this time also burned the *Mamlatdar's** court-house, the telegraph office, the post office at the Delhi gate, and two police *chowkies*. A house in the vicinity occupied by Mrs. Tuke, wife of the Civil Surgeon, was surrounded by the mob, who first hesitated on finding that Mrs. Tuke was armed with a revolver, and ultimately withdrew. Certain Indian gentlemen, including medical students, helped to save Mrs. Tuke. Another mob went to the electric power station, half a mile away, stopped its working, and attacked Mr. Brown, who was in charge. Mr. Brown received severe injuries, but managed to evade his assailants and escaped with his life. His family were saved by the fidelity of a workman, who put the mob on a false scent. A mob in the city attacked a cart which was carrying ammunition to a police-station. The police escort fired on them and drove them off. The same mob attempted to kill Lieutenant Macdonald of the Army Clothing Department. This officer had met near the Delhi gate Mr. Laher, a Parsee student of the Gujarat College, who told him that it was not safe to proceed in the direction of the city and advised him to take shelter at the Delhi Chala *chowky*. They had no sooner reached the *chowky* than the mob surrounded the place and began throwing stones. The situation appeared very grave to Mr. Laher and after attempting in vain to get into communication by telephone with the District Magistrate, he succeeded, at personal risk to himself, in cycling to the Camp and getting troops despatched in motor lorries to the scene. Lieutenant Macdonald held the narrow stair with a cudgel for more than an hour, during which he was threatened and pelted with missiles and received a cut on the hand from a broken bottle. He was in great danger, for the mob were preparing to set fire to the building. They were driven off, and his life was saved by the arrival of the troops despatched at Mr. Laher's request.

Acts of incendiarism and violence.

Riotous crowds were everywhere in the city, breaking street-lamps and doing other damage. The unarmed police constables were stripped

* Officer in charge of revenue collection in a sub-division of a district. He also exercises magisterial powers.

of their Government uniform and driven away. News of these riots having reached the Camp, a bodyof 200 troops was sent to reinforce the 300 men who were on their way.

Arrival of troops.

9. On the arrival of the first party of troops at about 11 A.M., the mob rushed out of the *Bhadar*. By this time, however, the Government buildings there were almost totally destroyed, and the fire brigade, which had hitherto been prevented by the mob from extinguishing the flames, could only attempt to save a portion of the telegraph office. The troops cleared that area, and military guards were posted; and it was by one of these that the mob were first fired on by troops, shortly before noon. This guard, commanded by Lieutenant Larkin, was attacked by a party of men armed with swords, and had to fire. The assailants charged to such close quarters that Lieutenant Larkin received a wound on the arm from a sword. Shortly afterwards the reinforcement of 200 men arrived, and a further clearance of streets was undertaken. On each occasion when troops advanced, the crowds retreated abusing and throwing stones at the troops, who were also stoned from the roofs and windows of the houses. The mobs dispersed into lanes and side-streets, collected again behind the troops, and again dispersed when the troops turned about. The situation at noon was that the rioters had been driven from the main streets in the north-west quarter of the city, and the gates and other points in that area were held by troops. There were 51 armed police at various posts; the un-armed police had disappeared.

The afternoon of the 11th April.

10. After noon, troops were detached to protect the Shahibagh, including a residential quarter and the area containing the water-works, the police head-quarter lines and the railway bridge across the Sabarmati river. Defiant mobs still faced the military forces in the city, and others committed outrages where the troops could not prevent them. They raided two temples, from which they procured guns and swords. They found a European police officer, Sergeant Fraser, who was hiding in a shop in the Richey Road, the main street in the city, dragged him out and murdered him. His body was left lying on the road, where it was recovered and brought in by Lieutenant Fitzpatrick and one or two members of the police force. Near to the scene of this murder, the walls of a police *chowky* were defaced by inscriptions of an inciting nature, such as "The British *Raj* is gone: the King of England is defeated and *Swaraj* is established", or "Kill all Europeans: murder them wherever they be found." The mob attempted to capture two Indian magistrates, who managed to escape with their families, but their houses were wrecked and looted. It appears that these gentlemen had gained unpopularity in the course of their official duties. Otherwise, and with the exception of police officers, Indians were not attacked and their property was not injured. The mob's efforts were directed against Europeans and the property of Government. Public buildings were burned where this could be done without danger to adjacent property.

Elsewhere buildings were wrecked and their contents thrown out and burned in the streets.

Firings by troops and police.

11. Even in the presence of troops the mobs showed little restraint and on several occasions the parties of troops sent to assist the civil authority in the maintenance of order had to resort to firing. The officers at the head of these different bodies of troops who were responsible for orders to fire being given were examined before us. Major Kirkwood explains that he received orders from the Staff Officer of the Officer Commanding the area that if rioters approached in a threatening manner to within about 25 yards of the troops after warning the crowd to keep back, controlled fire was to be opened. If people were actually engaged in incendiarism they were to be fired on at once. He called up all his officers, and explained these orders to them. Major Kirkwood states that after passing the place where Lieutenant Larkin had been wounded and one of the rioters killed, he advanced as far as the Pan Kor Naka. There he found a large crowd and got his Subedar-Major Kanhaiya to warn them :—" They threw stones and I was hit on the head, and I saw the situation was becoming more involved and I thought it was time to fire. I ordered three men to fire and they fired at the crowd. I think two men were hit. Then I ordered the Subedar-Major to go by the lower road which leads down from the lower side of the Pan Kor Naka, and he drove the crowd back and he fired one or two shots also." Before he fired, Major Kirkwood had heard a *sadhu** among the crowd asking for white men's blood. Later in the day, he had to fire on a crowd near the same place and again near the Astodia gate. On all three occasions he gave the crowd warning before firing. He thinks that the total casualties caused by him would be about 6 or 7.

Lieutenant Morris was in charge of a body of troops at Temple post. A crowd came, and pelted his troops with stones. He endeavoured to get the crowd to disperse. As he was afraid the people might not have understood what he said in Hindustani, he fired one shot as a warning shot without intending to hit any one. As this had no effect and the crowd continued to pelt his force with stones, he ordered four of his men to load one round each and to fire. Three men appeared to fall as the result of this firing.

Lieutenant Fitzpatrick was posted at Panch Kor Naka during the day from about 11-30 till evening. Major Kirkwood was there for some time but, in his absence, Lieutenant Fitzpatrick was in command of the troops there. On several occasions he had to fire on mobs who, in spite of warning not to advance within 25 yards of the troops, pressed forward jeering and throwing stones. One mob on which he fired was engaged in burning down the Panch Kuva gate.

The Subedar-Major with Major Kirkwood explains that, after he took a different route from the latter officer, the *sadhu* who had " asked for white men's flesh, with some other gentlemen with him told me that

* Religious mendicant.

we were not Kshatriyas* and to lay down our arms and join them. He then waved his stick and a number of stones fell on us. I then asked three men to fire and they did so." As a result of this firing three men were wounded.

Sub-Inspector Kothawala and Deputy Superintendent Shirgaonker speak to the circumstances under which the armed police had to fire. During the difficult and trying conditions in which the police and military were placed on the 11th April, we do not think that there was any occasion on which either force fired without justification, or that firing was continued in excess of what was necessary to restore order. The disorders continued till the close of the day, the rioters not having been deterred from acts of lawlessness by the firing that had taken place.

When night fell, the city and suburbs except on the north-west were still in the hands of the rioters, who during the night burnt some minor Government and Municipal buildings. Meanwhile Europeans residing in the mill area and suburbs had taken refuge in the Shahibagh or at the railway station, where they were under military protection.

12. The troops in the streets had to remain there during the night. The electric power station being closed, the city and railway stations were without light. The drainage pumping-engine had ceased to work, and the Municipal conservancy staff had disappeared. Serious results were likely to follow from the absence of conservancy and the choking of the sewers. From the military point of view the situation was disturbing as all available troops at Ahmedabad were engaged in and near the city. They had been continuously on duty, and there were no means of relieving them. A train bringing British troops from Bombay was derailed during the night and the telegraph wires connecting Ahmedabad and Bombay were cut. The need of effective action speedily to restore order was imperative.

The night of the 11th April.

13. On the morning of 12th April the Officer Commanding, with the concurrence of the District Magistrate, decided to issue a proclamation to the following effect :—

The Military proclamation.

(1) Any gathering of over 10 individuals collected in one spot will be fired at ;

(2) Any single individual seen outside any house who does not stop and come up when challenged between the hours of 7 P.M. and 6 A.M. will be shot.

Orders to this effect were issued to the troops but, in order to warn the people, it was arranged that the orders should not come into force until 4 P.M. and notices to this effect were distributed. On the afternoon of the 12th 200 British troops who had been in the derailed train arrived, and from this point the state of the city rapidly improved, though there were occasions on the 12th April when firing was necessary. For instance, Colonel Macdonald, after distributing the so-called martial law

* A Hindu caste famous in history for its martial spirit.

proclamation, had to fire on a riotous mob, armed with *lathis* and bill-hooks, who were advancing on the railway station. When faced with troops, the rioters threatened them and refused to disperse. The last occasion on which troops fired was at midday on the 13th April. In the memorandum presented to us by the Gujarat *Sabha*, they say as regards the military proclamation :—" The notice is couched in the widest terms. It did not contemplate any notice to be given to a crowd of ten to disperse before it was fired upon, nor did it take account of the nature of the crowd. This led to innocent persons going on peaceful vocations being killed." We did not, however, hear of any specific occasion on which, as a result of the proclamation, there was firing on any person without previous warning, or on which any person was fired on who was not either rioting or encouraging rioters.

Arrival of Mr. Gandhi.

14. Mr. Gandhi and Miss Anasuya Sarabhai arrived at Ahmedabad on Sunday, the 13th April.

Mr. Gandhi at once visited the Commissioner who had now arrived and offered his services in the restoration of order. Arrangements were made that the proclamation issued by the military should be withdrawn on the 14th. On that date, Mr. Gandhi addressed an enormous meeting of people. He upbraided them for their violence, and exhorted them to resume their lawful occupations. His address had a very beneficial effect and the disturbances at Ahmedabad practically came to an end on the 14th April. The last act of open violence by the mob was at Sarkhej, six miles from Ahmedabad, where a police post was burned and the police stripped and beaten on the night of the 13th April.

General remarks.

15. During the disturbances there were two fatal casualties on the side of law and order, namely, the armed constable who was thrown from the balcony and Sergeant Fraser. The number of police and troops who received minor injuries from the mob is not in evidence. Among the rioters 28 are known to have been killed and 123 wounded ; it is probable that there were more, but the others have not been traced. The casualties included one woman and four children wounded by the firing. The woman was in her house and was struck by a stray bullet. The number of rounds fired during the whole period was 139 by the police and 609 by the troops. Telegraph wires were cut at eight places in Ahmedabad and at fourteen places outside. The value of the property destroyed by the rioters at Ahmedabad was approximately nine and a half lakhs of rupees. The suddenness with which the outbreak began was equalled by the abruptness of its termination. Probably the main reason of this was that the rioters had been moved by their personal feelings towards Mr. Gandhi and Miss Anasuya Sarabhai. The sight of these among them at liberty, combined with Mr. Gandhi's reproaches, removed all motive for a continuance of disorder. We are of opinion that the measures taken by the authorities to deal with the disturbances were appropriate. The use of military force was unavoidable, and the rioters alone were responsible for the casualties which ensued. The control of the

city was in the hands of the military for less than two days and this has been referred to as a period of martial law. But beyond maintaining order and issuing the proclamation on 12th April, the military authorities did not interfere with matters of administration. The so-called martial law orders were drastic; but the situation was most serious. The belief that all groups of more than ten men would be fired on without warning did much to restore order, and it appears that this instruction was not in fact literally carried out. We think that the troops behaved with praiseworthy restraint in most trying circumstances, and that the military action taken was not excessive. The Bombay Government have informed us that the behaviour of the military during the period that they were stationed in the city was exemplary. Our investigation leads to the same conclusion.

(2) Viramgam, Ahmedabad District.

Viramgam.

16. The people of Viramgam took their cue from Ahmedabad. The rumour of Mr. Gandhi's arrest reached that town on the night of the 10th April. On the 11th, there was general *hartal*, the mill-hands struck work and all shops were closed. An unruly mob assembled at the railway station but were persuaded to disperse and there was no actual breach of the peace at Viramgam on that day. On the 12th April, imitating the rioters of Ahmedabad, the mob at Viramgam broke out in violent disorder.

Outbreak on the 12th April.

17. In the absence of the *Mamlatdar*, who was on tour, the senior executive officer at Viramgam on the 13th April was the *Aval Karkun*,* Mr. Madhavlal, a 3rd class magistrate, who was murdered by the mob on the afternoon of that day. In a letter to the *Mamlatdar* written at noon a few hours before his death, Mr. Madhavlal reported :—" There is a strict *hartal* in the town to-day also.....Crowds of mill-hands move for the whole day with sticks and it is likely that they may perhaps get excited on hearing the news of Ahmedabad. Therefore you will kindly return here immediately because there is danger every moment. Letters and Government work are at present at a standstill. Merely to preserve peace is a great task .....The mill-hands looted to-day the shops of sticks outside the Golwadi gate and they are moving with sticks throughout the bazar. In the absence of the post and newspapers everything looks dreary and dreadful."

At about 9-30 A.M. a riotous crowd went to the railway station, to meet the train from Ahmedabad. On the platform they saw Mr. MacIlvride, Traffic Inspector, who had come from Kharaghoda, a station twenty miles west of Viramgam. As the attitude of the mob was threatening, the sub-inspector of railway police warned Mr. MacIlvride that it would be wiser for him to leave Viramgam. Mr. MacIlvride proposed to leave by the afternoon train for Ahmedabad, and meanwhile took refuge in a rest-room on the upper floor of the station building.

* First assistant to the *Mamlatdar*.

He was almost immediately afterwards attacked by a crowd, which assaulted him severely with sticks, rendering him unconscious. He was subsequently smuggled out of the rest-room disguised in a porter's clothes and taken to an engine on the line, on which he was carried to Kharaghoda. At about the time when he was assaulted, the railway station at Viramgam was set on fire by the rioters. This was after doors and windows had been broken and the telegraph instruments destroyed. The station was completely gutted and the telegraph wires outside were cut. Having done this, the crowd started for the town. On the way they compelled the Subordinate Judge to close his court, but did no damage there. Arriving at the Bharwadi gate, they set it and the adjacent police *chowky* on fire. Thence they proceeded to the post office, which they plundered and burned. They then advanced on the *Mamlatdar's kacheri*,* including the treasury, which they reached at about 1 P.M.

First attack on the "kacheri."

18. Mr. Madhavlal was in the *kacheri*, and there was a small armed police guard over the treasury. The rioters opened the attack by throwing stones at the building and the police guard. They set fire to the sub-inspector's office, in a corner of the *kacheri* compound, and the main gate. Seeing the sub-inspector's office on fire, Mr. Madhavlal ordered the armed police to fire on the mob. The order was carried out. The police guard consisted of two head constables and nine constables. Mr. Madhavlal then apparently lost heart and fled from the *kacheri* over a back wall, followed by all his *karkuns*† and peons. The police stood fast and fired repeatedly on the rioters, who attempted to overcome the defence by setting fire to various buildings near to the *kacheri*. Thus the *Mamlatdar's* office, the out-houses of the police inspector's quarters and the police lines were burned, as well as a head constable's quarters which immediately adjoined the *kacheri*. The mob also burned a private house which was near to the police lines. But these devices were not effective, inasmuch as the fires did not spread to the main *kacheri* buildings. The police guard continued to keep the mob at bay.

Attack on railway.

19. In the afternoon a gang of rioters returned to the railway station. Taking tools from the locomotive shed, they went to the Kharaghoda side, where they breached the railway by tearing up rails and burning sleepers. Crowds of rioters then looted and set fire to the contents of goods waggons in the sidings. The signal cabin on the Kharaghoda side was burned and the signals destroyed. At Kharaghoda, Mr. MacIlvride had informed Mr. Caldecott of the situation at Viramgam. Mr. Caldecott was an Assistant Collector of the Salt Department, and had at his disposal fifty-four armed peons. With this force he started for Viramgam as soon as a train could be provided and arrived about 7-30 while the rioters were looting in the station-yard. He had to detrain his men some distance from the station, owing to the breach in the line, and march them from

* *Court house.*
† Clerks.

there into the Viramgam yard. At the place where they detrained, there was a large crowd marching into Viramgam. They dispersed on seeing Mr. Caldecott and his men.

Murder of Mr. Madhavlal.

20. In the meantime other bands of rioters had gone in search of Mr. Madhavlal, who was hiding in the house of one Bhailal. The mob were determined to revenge themselves on Mr. Madhavlal for the firing by the police at the *kacheri*, which had taken place by his order. They went to his house and, not finding him there, they looted the premises, smashed the furniture, removed some of his valuables and burned all that remained. His wife had received timely warning from a neighbour, and concealed herself in a friend's house. The mob discovered Mr. Madhavlal's hiding-place, broke into the house and dragged him out. Taking him to the public road, they drenched his clothing with kerosene oil and set fire to him while he was still alive. On his burning body they heaped the records of an adjoining *talukdari** office, which they broke into and plundered. Using these records as fuel, they burned Mr. Madhavlal to death, so that his body was completely consumed.

Second attack on the "kacheri."

21. The main body of rioters had left the *kacheri* on hearing that Mr. Madhavlal was captured. When his murder had been completed, they returned to the *kacheri* at about sunset and renewed the attack, this time with success. They seem to have obtained firearms which they used against the police from the upper floor of a neighbouring house and from behind a barricade of corrugated iron which they erected. They brought kerosene oil and pumped it on to the *kacheri* building, intending to set it on fire. Dismayed by the increasing intensity of the attack, and expecting to be burned out, the police now abandoned the defence and escaped in different directions. Before they went they released twenty-five under-trial prisoners from the lock-up, to save them from being burned. Mr. Caldecott arrived with his men at the *kacheri*, from the railway station, at about 8 P.M. Men ran out of the treasury as he came up and he fired. The treasury by that time had been looted. The amount missing was subsequently ascertained to be Rs. 58,499. It is doubtful whether Mr. Caldecott's firing in the dark inflicted any casualties, but it caused a complete dispersion of the rioters. He found two dead and two wounded men in and near the *kacheri*. A detachment of troops arrived from Ahmedabad at about 10-30 P.M., and took charge of the town. This marked the end of the disturbances, and no further outbreak occurred. The shops at Viramgam re-opened on the 13th April.

General remarks.

22. Twenty-two wounded persons were treated at the dispensary, of whom four died. The total casualties among the rioters at Viramgam, as far as they are known, were six killed and eighteen wounded. Most, if not all, of

* Government office containing records concerning estates of a particular class of landed gentry.

these were the result of the firing by the police. The value of the property destroyed by the rioters exceeded two lakhs of rupees. The armed police guard at the *kacheri* behaved with spirit during about six hours, and would perhaps have driven off the mob if a superior officer had been present. The unarmed police in the town were helpless and disappeared. The force used against the rioters, either by the armed police or by Mr. Caldecott's party, was certainly not excessive. If greater force could have been applied at an early stage, the commission of an atrocious murder and much destruction of property might have been prevented. It was afterwards found difficult to obtain convincing evidence as to the identity of the murderers of Mr. Madhavlal though some eye-witnesses of the murder gave evidence. The Commissioners of the special tribunal attributed this in some cases to fear, in others to complicity with or sympathy for the rioters, and in others to the usual dislike to come forward and give evidence in a public trial. The fact remains that the tribunal was unable to find any person guilty of the murder, as the evidence to identify individuals was not sufficient. Apart from the murder, fifty men were tried for offences connected with the occurrences, of whom twenty-seven were convicted and the rest acquitted.

(3) Nadiad, Kaira District.

23. The news of the supposed arrest of Mr. Gandhi was received at Nadiad on the evening of the 10th April. It caused the same excitement as at Viramgam, but there was not the same open violence. *Hartals* were held throughout the district, and at Nadiad the mill-hands struck work and all shops were closed. There was no rioting, perhaps owing to the teaching of one of Mr. Gandhi's followers who came from Ahmedabad on the 11th April and exhorted the people to remain quiet. But some persons in sympathy with the Ahmedabad rioters resolved, if possible to prevent the passage of troops. It was known that a train conveying British troops to Ahmedabad would pass through Nadiad. On the night of the 11th April a party from Nadiad removed a rail from the permanent way at a place about one and a half miles south of the Nadiad railway station. The troop train arrived shortly afterwards, travelling at high speed. The train was derailed at the gap, but was brought to a stand without loss of life. Regarding this the Special Tribunal remarked in their judgment :—" By a merciful dispensation no one in the train was injured though the miscreants had by accident or design selected a spot at which the embankment, not very high at any part of the line in this neighbourhood, was some six feet high and higher than at any other point in the neighbourhood. Had the engine run off the line and down the side of the embankment, the results would have been too terrible to contemplate." The actual result was that the arrival of the troops at Ahmedabad was delayed for some hours. Later, on the evening of the 12th April, the railway line was again damaged within a few miles of Nadiad. On this occasion the telegraph wires were cut, rail keys removed, telegraph posts pulled down and insulators smashed, and the sleepers of a

Nadiad.

culvert set on fire. But this damage was discovered and the fire extinguished before harm resulted. At two other places in the neighbourhood, Vadod and Anand, telegraph wires were cut on the night of the 11th April. In view of these outrages, and to allay the excitement, detachments of troops were posted for some time at Nadiad and other places in the district, but were not actively employed. As there were no open disturbances, there was nowhere any collision between the troops and the people. The offences were dealt with by the police in the ordinary way, and a number of persons were placed on their trial before the Special Tribunal. In the derailment case fourteen persons were placed on their trial, but one only was found guilty. He was a minor offender and received a light sentence : the leaders all escaped. The tribunal ordered the prosecution of a number of witnesses for perjury, and commented on the atmosphere which was so hostile to the detection of the offence that there was little truthful evidence forthcoming though the details must have been known to many persons at Nadiad. In the Vadod case thirty-six persons were sent up for trial, of whom twelve were convicted. The Anand case was withdrawn, as evidence was not procurable.

Tribunals. (Ahmedabad and Kaira districts.)

24. In order to deal with the offences committed during the period of the disorder the Government acting under the Defence of India Act, 1915, set up a Tribunal of three judges which began its sittings on 2nd June. The amount of work to be got through by the Tribunal was found to be in excess of what could be expeditiously undertaken by them. Accordingly a second Tribunal was appointed to deal with cases from the Kaira district. This Tribunal commenced work on 22nd July. The total number of persons placed on trial before the First Tribunal was :—

Ahmedabad	167
Viramgam	50
TOTAL .	217

Of this total 106 were convicted and 111 discharged. One death sentence was pronounced which was afterwards commuted by Government to transportation for life. The latter sentence was pronounced in 22 cases, including 2 in constable Imam Khan's murder case. In 20 cases forfeiture of property was pronounced. There was one case of transportation for 14 years and one case where a fine was inflicted. In the remaining cases sentences varying from 14 years to 1½ months' rigorous imprisonment were imposed.

In Kaira district 82 persons were sent up for trial of whom 17 were convicted and 65 discharged. There were two sentences of transportation for life the remaining sentences being rigorous imprisonment for periods varying from 10 years to 1½ months.

In Ahmedabad district, 140 persons and in Kaira district 41 persons were arrested but released without being tried as the evidence was not considered sufficient to warrant their being placed on trial.

25. According to the statement of the District Magistrate, Ahmedabad, a local levy was made in order to give compensation to those who had suffered from the destruction of property during the disorder :—" It was recovered in three different ways by ' levy from income-tax payees,' by levy from the payees of the general municipal water-rate in Ahmedabad and also by confiscation of the caution-money of the mill-hands. The mill-hands always deposited one week's caution-money with the employers. That week's caution-money was confiscated." This method of raising money was criticised as inequitable and putting an unfair burden on certain people. It does not appear to us that this was a measure taken to cope with the disturbances. We do not think, therefore, that it would be right or proper for us to express any opinion upon the points involved in this controversy.

Compensation for destroyed property. (Ahmedabad and Kaira districts.)

A witness from Nadiad complained that certain expense had been unfairly imposed upon the inhabitants of his town in consequence of an extra police force being stationed there. This complaint seems equally to fall outside the scope of our enquiry.

(4) Bombay City.

The occurrences in the city of Bombay itself do not call for detailed examination or criticism. It is unnecessary for us to add anything to what we say elsewhere about general causes of unrest in other parts of India with which we have had to deal.

On the afternoon of 10th April the *Bombay Chronicle* published a special edition announcing the arrest of Mr. Gandhi. The news spread rapidly and in certain districts there were persistent efforts made to hold a *hartal.* Attempts were made to hold up tramcars and force the people travelling in them to get out and walk, but nothing serious occurred. About midnight, however, a wire was received by the Commissioner of Police at Bombay announcing the Punjab disturbances at Amritsar and Lahore. All the police stations were informed and instructed that they should be prepared for any eventualities.

Occurrence on 10th April.

In the morning of 11th April, information was received from the Pydhonie district of the city that two or three attempts had been made to create a disturbance, that crowds were collecting there and were threatening a disturbance and had begun to throw stones which was an obvious sign of disorder. Mr. Sharp, the Deputy Commissioner of Police, proceeded to the scene of disorder with a force of 25 armed police and one European officer. He informed us that large crowds had collected in the region of Pydhonie Station, Abdul Rahman Street and Nagdevi. They were indulging in cries of " *Hindu-Mussalman ki jai* " and " *Mahatma Gandhi ki jai.*" They began to throw stones at the police. They were holding up tramcars

Disturbance on 11th April.

and making people to alight. The situation was becoming a difficult one for the police to handle. Mr. Sharp says as regards the position about 12 o'clock :—" I had with me about 70 or 100 men of all ranks at the time. I was afraid that I might be overpowered or, in the last extreme, I might have to call upon armed police to fire. I therefore asked the Commissioner to send out troops and if possible to come himself and also to send magistrates." About 1-30 or 2 o'clock the Commissioner arrived with two platoons of Indian Infantry. About 3 o'clock, Mr. Gandhi and some of his followers arrived. A superintendent of police explains that there was a body of armed police across Abdul Rahman Street, which appeared to be overpowered by the crowd and a force of cavalry made a charge, but we have no information that any casualties were caused thereby. Meantime Mr. Gandhi and his followers were endeavouring to get the crowd to disperse and in this they were finally successful, the people going to Chowpatty beach where they were addressed by Mr. Gandhi.

General remarks.

As we were informed by the Government of Bombay, the disturbances " were attended by no fatal casualties or extensive destruction of public or private property. There was no suspension of the normal course of administration or of civil control over law and order. Offences committed in the course of the disturbances were dealt with by the permanent magisterial courts. There was no serious dislocation for any considerable time of the normal life of the city "

CHAPTER III.

Amritsar District.

Amritsar.*

1. The first outbreak in the Punjab occurred at Amritsar on the 10th April 1919. Amritsar has a population of some 150,000 ; it is an important centre of the peice-goods trade ; by reason of its position and of the Golden Temple, it is to the Sikhs a city of unique interest and influence. The " civil lines " are divided from the city proper by the North Western Railway line. From the Kotwali† and Town Hall which are in the city the direct route to the civil lines leads along Hall Bazar through Hall Gate and across the railway by a bridge called Hall Bridge. On the left, as one crosses this bridge going to the civil lines there is also an iron foot-bridge over the railway. The railway station itself, with the goods yard and other offices, is on the further side of this foot-bridge. Apart from one officer and fifteen men of the Indian Defence Force the garrison at the time consisted of about 184 infantry (Somerset Light Infantry) and some forty to fifty mounted men of the 12th Ammunition Column, Royal Field Artillery. For such a garrison in any scheme of " internal defence" the holding of the railway line would be an important, if not the essential feature. Since the 5th April an Indian officer and 20 Indian ranks had been detailed as a guard at the railway station.

Politics in Amritsar.

2. For some time before April 1919, public meetings about various questions, mostly but not entirely political, had shown that Amritsar had taken or was prepared to take great interest in public matters. It had been selected as the meeting place for the All-India Congress to be held in December 1919, and an All-India Congress Committee had been in existence since the end of 1917. The most active and influential " leaders "—certainly in the period just before the disturbances—were Drs. Kitchlew and Satyapal. Their speeches—some of which we have examined and some of which afterwards came in question at their trial before a Tribunal established under martial law—show that on such points as the Rowlatt Bill, the expected Turkish Peace terms, and indeed on many if not all disputed matters, their attitude was one of very vigorous complaint against Government. In particular both of these gentlemen had joined Mr. Gandhi's civil disobedience movement and had taken the *Satyagraha* vow to disobey the Rowlatt Act and any other laws which a committee should select.

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* For maps of Amritsar district and city see appendix.

† Chief city police station.

3. On the 23rd March a meeting was held in Amritsar in support of Mr. Gandhi's movement and at another meeting on the 29th of March a *hartal* was decided on for the following day. On the 29th also Dr. Satyapal was served with an order, made by the Punjab Government under the Defence of India Act, prohibiting him from speaking in public. The *hartal* on the 30th was successful beyond expectation and stopped the whole business of the city. There was no collision with the police and no resort to violence. On the 4th of April, Dr. Kitchlew was served with an order similar to that made against Dr. Satyapal.

The first "hartal."

4. Things were in this position when the question arose whether another *hartal* should be held on the 6th, there having been some confusion at Amritsar, as at Delhi, as to the date which Mr. Gandhi had intended. In view of the troubles at Delhi on the 30th March, the local Congress Committee seem to have declared against having another *hartal*, and on the 5th the Deputy Commissioner was told by leading citizens that it would not take place. However, at a private meeting held in the late afternoon of the 5th, at which Dr. Kitchlew and Dr. Satyapal were present, a *hartal* was decided on, and on the next day took full effect, business throughout Amritsar being once more stopped. This second time also the *hartal* passed off peacefully and Europeans could and did walk unmolested amongst the crowds. A poster, however, was found exhibited at the Clock Tower calling on the people of Amritsar to "die and kill."

The second "hartal."

5. The Deputy Commissioner (Mr. Miles Irving) was much perturbed by the proof, afforded by the second *hartal*, of the power and influence of Drs. Kitchlew and Satyapal. On the 8th April he addressed the Commissioner and the Punjab Government by letter upon this subject. Pointing out that from one cause or another the people were restless and discontented, he pressed urgently for an increase in the military forces stating that with the existing garrison any resolute action in the city would leave the civil lines almost undefended. "As it is, we must abandon nine-tenths of the city to a riot holding only the Kotwali and communications, and even so will be hard pressed to defend the station and civil lines." He viewed the *hartal* as a mere step to test the organisation. "Who are at the bottom of this I cannot say. The Congress party are in the outer circle. They passed a resolution against a strike and promptly came to heel when Kitchlew ordered it. Kitchlew himself I regard as the local agent of very much bigger men. Who those are can only be guessed from their rage at the Rowlatt Acts which strike at the root of organised anarchic crime." The older type of leaders—Khan Bahadurs and Rai Sahibs—had in his opinion lost all influence. "I am trying to get into touch with the new leaders who have influence. I was wrong in thinking I could influence Kitchlew—he is too deep in. I may possibly get hold of some of the outer circle. But I have not much hope from them. I think

The Deputy Commissioner's letter.

that things will be worse before they are better and that for the present we must rely on ourselves alone."

Deportations ordered.

6. The Punjab Government took prompt action upon this letter. As the orders of 29th March and 4th April showed, the conduct of Dr. Satyapal and Dr. Kitchlew had been under its consideration. At an earlier stage the Deputy Commissioner had asked the Government to suspend action against Dr. Kitchlew in order that opportunity for persuasion might be given before resorting to any order, and as already shown the letter of 8th April refers to this fact. It does not appear that any actual breach of the orders against public speaking had been committed by either of the gentlemen. They had taken part in at least one private meeting and they had brought about the second *hartal*, suddenly, with great completeness, and without warning to the authorities. The Punjab Government on the 9th April issued orders for their deportation from Amritsar and internment in Dharamsala, *i.e.*, in another district of the Punjab. This order was within the powers of the local Government under the Defence of India Act : sanction from the Imperial Government was not necessary and was not asked. The Deputy Commissioner's letter was passed on to the General Officer Commanding Division on the 9th with the statement " the Lieutenant-Governor agrees with Mr. Irving that the military garrison at Amritsar requires strengthening as early as possible."

Ram Naumi and Hindu-Muhammadan unity.

7. The 9th April was the day of *Ram Naumi*—a Hindu festival on which cars are commonly drawn in procession accompanied by people raising cries in honour of Hindu deities. This practice was followed as usual in Amritsar, but contrary to previous practice, the festival was very largely participated in by Muhammadans, and along with the usual shouts political cries were freely raised " *Mahatma Gandhi ki jai*," " *Hindu-Mussalman ki jai*." The effect of the evidence before us is that the festival became a striking demonstration in furtherance of Hindu-Muhammadan unity—people of the different creeds drinking out of the same cups publicly and by way of a demonstration. To expect this form of unity to last beyond the day would doubtless be to expect too much : nor should it be condemned as wholly sinister or unreal because it did not last longer than mere demonstrations can. We think it clear that in Amritsar as elsewhere efforts towards " unity " had been made largely and indeed frankly in a political interest. That the disturbed state of political feeling in Amritsar would assist and did assist to throw the two warring creeds into a common camp *vis-a-vis* Government is intelligible enough. Dr. Kitchlew's influence in particular was, and had consistently been, in the direction of unity and doubtless in Amritsar this fact accounts for more than does the general movement, which has for at least two years been well marked all over India. In these circumstances, while we regard the *Ram Naumi* festival in Amritsar as showing a state of considerable ferment, excitement and unrest, and as further proof of the influence of the local political leaders,

we do not feel entitled to regard it as significant of special evil or to interpret the events which ensued after other causes had supervened by reading them in the light of a sinister construction of the facts of the 9th of April. It is certain that the day passed off without any hostility being offered to Europeans. The Deputy Commissioner himself got caught in the crowd and witnessed the procession from the verandah of the Allahabad Bank. He says " as a rule they were very civil, every car in the procession stopped in front of me and the band played " God save the King." A note of disloyalty which struck me was that a party of Muhammadan students dressed to represent the Turkish Army raised a rude demonstration by clapping their hands which is a sign of rudeness up here, that is all."

Precautions against the 10th.

8. The orders of the local Government for the deportation of Drs. Kitchlew and Satyapal reached the Deputy Commissioner on the evening of the 9th. They were to be removed quietly to Dharamsala. In consultation with some other officials including Captain Massey, the Officer Commanding the station, the Deputy Commissioner decided to send for Dr. Kitchlew and Dr. Satyapal to come to his own house at 10 o'clock next morning and to have them taken from there by motor car by the Superintendent of Police (Mr. Rehill) and a small escort. Certain arrangements to prevent a possible rescue were decided on that night. In addition to these, other arrangements were made in consultation with the Officer Commanding (Captain Massey) for dealing with any disorder which might ensue upon the deportation becoming known. Apparently a labour corps was in cantonments two miles away; from the Amritsar garrison British Infantry were to be kept in reserve at the Ram Bagh gardens and mounted pickets were to be posted at the Rego bridge which leads to the Fort, at the Hall Gate bridge, already described, and at the Hospital level crossing. The police reserve—75 armed men—were to be kept in the Kotwali. Certain other police under a European officer, Mr. Marshall, were to protect a level-crossing called the police line crossing. It was further arranged that the Civil Surgeon, Lieutenant-Colonel Henry-Smith, I.M.S., should, in case of need, use his motor ambulance and collect European women and children in the Fort. Written orders were made by the Deputy Commissioner, though not publicly promulgated, to the effect that whereas he had reason to believe that a mob from the city would attempt to approach the District Court House with the intention of overawing by force or by show of criminal force the constituted authorities, no body of persons exceeding five would be allowed to pass the railway line. These orders were given to three European magistrates, the crossings were pointed out to them and they were told to keep back any crowd, peacefully if possible but, by military force if necessary.

Their sufficiency.

9. The arrangements above-mentioned were in substance the " internal defence scheme " for defending the civil station. They are sufficiently elaborate to suggest very grave apprehension in the Deputy Commissioner's mind

as regards the consequences of carrying out the deportations. This is emphasised if we take into account the orders given next morning by Captain Massey to the officer at the Fort, to have his guns in position, to have a machine-gun ready to cover the women and children in case they stood in need of protection, not to hesitate to open fire if the mob made for the Fort or attacked the railway station, and so on. We think, however, that no one on the night of the 9th anticipated or had reason to anticipate that the next day would see disorders so grave as those which in fact took place. That a disorderly crowd of Dr. Kitchlew's and Dr. Satyapal's supporters might come to the civil station to try to overawe the Deputy Commissioner or at least to make a large and noisy demonstration ; that this might lead to something worse especially if large numbers were adrift in the civil lines beyond possibility of control —this is, we think, a fair measure of what, in the view of the Deputy Commissioner, had to be guarded against. The precautions as to evacuation of the women and children seem inconsistent with the absence of proper steps to warn Europeans not to go into the city as usual. But though it is a matter of great regret that such warning was not given, we do not think that it could or should have been anticipated that a murderous antipathy towards all Europeans would burst out as it did. The behaviour of the crowds upon 30th March and 6th April in no way indicated this and the presence of the whole reserve of armed police at the Kotwali must not be overlooked in this connection. As the Deputy Commissioner put the matter in his evidence before us :—" I reckoned up the possibility and provided for about three times as much but ten times would not have been enough." Precaution in some directions beyond the apparent necessities of the occasion does not entitle criticism after the event to exact more than reasonable precautions in other matters. In military preparations in particular thoroughness is not necessarily an index to the gravity of the occasion. In this case the arrangements made were but an application of a pre-arranged scheme of internal defence which had been previously thought out and had no special reference to the probabilities of the 10th.

In spite of the request contained in the Deputy Commissioner's letter of the day before that more troops should be sent to Amritsar, we think that he acted rightly in the circumstances in carrying out the deportation orders quickly and quietly and that he cannot reasonably be blamed for not refusing to do so until more troops were sent. He was not contemplating any " resolute action in the city ;" he was contemplating disorder but not on such a scale as occurred.

We think further that to keep a strong force of 75 armed police at the Kotwali and not to have these men scattered in isolated pickets throughout the city was a prudent and reasonable course. As it turned out, the scenes of the worst outrages were very close to the Kotwali and a strong striking force there could and should have been much more effective than isolated pickets. That it was almost wholly ineffective in the emergency which arose was in no way the fault of the Deputy Commissioner and could not have been foreseen by any one.

10. On the morning of the 10th, Drs. Kitchlew and Satyapal came about 10 A.M., to the Deputy Commissioner's house as requested. They were accompanied by some friends. In about half an hour they had left for Dharamsala by motor car as arranged. The friends were detained for about an hour so as to give the escort a start. There was no attempt at rescue.

Deported.

11. About 11-30 however the news of the deportation was spreading in the city: shops were being closed on all sides and crowds were collecting. A large crowd formed in Hall Bazaar and made its way through Hall Gate and over the Hall Bridge at the further side of which was a small picket of mounted troops. This crowd was excited and angry at the deportations and was undoubtedly making for the civil lines bent upon seeing the Deputy Commissioner. A Criminal Investigation Department Inspector who gave evidence before us and whom we believe, states that he was in the back portion of this crowd on the first slope of the road bridge and that members of the crowd near him as they were going over the bridge and before they had been fired upon or turned back, were crying out "where is the Deputy Commissioner? We will butcher him to pieces." Another witness, Dr. Muhammad Abdullah Fauq states that he was with this crowd and the cries were that they must see the Deputy Commissioner, ask him where these leaders were, and if he would not grant their release, insist on themselves also being taken to the same place. It is an ascertained fact that this angry crowd as it poured out of the city towards the bridge took no notice of Europeans whom it met on the way. Mr. Jarman, the Municipal Engineer, passed it by and was not molested. There is on the evidence very slender ground for supposing that this crowd in its initial stages was possessed of, or by, any definite common intention save that of angry and obstreperous protest in force before the Deputy Commissioner at his house and for the purpose of overawing him. It was as events showed equal to anything but had not as yet resolved upon anything very definite. Violent and excited threats against the Deputy Commissioner we think there were, but it is not certain that these were many or that they were representative in the first phase of the disturbance. The mob had not armed themselves with sticks or *lathis*. Still it is abundantly clear that the crowd was not mere crowd of mourning and that to represent it as a large but peaceful body bent on respectful, or even lawful, protest before authority is a travesty of facts. We consider that the Deputy Commissioner was right, and had done no more than his duty, when he resolved to prevent entrance into the civil lines by any such crowd. Beyond this it remains undeniable of this particular crowd that it was likely to cause a disturbance of the public peace and that the public security was manifestly endangered by it.

The first crowds.

12. This crowd was stopped by the mounted picket at the further end of the Hall Bridge. Mr. Beckett, an Assistant Commissioner, arrived soon afterwards

The first collision. Firing.

to act as Magistrate on duty at that spot. The picket at this time consisted apparently of a non-commissioned officer armed with sword and revolver, four mounted British soldiers, two with lances and two with rifles, and three Indian sowars. They were on the ironwork at the top of the bridge facing the crowd some eight or ten yards off. Mr. Beckett did his best to make himself heard amid the shouts of the crowd and to explain that it would not be allowed to proceed. Three men in the front of the crowd seem to have endeavoured to persuade the rest to desist. In spite of them and of all that the Magistrate and the soldiers could do, the crowd pushed back the picket making the horses restive and uncontrollable by hitting them with sticks. The picket was pushed slowly back from the bridge and more quickly down the slope which leads from it to Madan's shop. Near this spot was a heap of half-bricks and stones and further crowds were already there. The crowd on both sides of the picket joined in stoning them. It is possible, but not proved, that at some stage before the stone throwing, one soldier fired in the air without orders. The Deputy Commissioner arrived on the spot as the stoning was going on, and endeavoured to rally the picket, but the horses would not stand up to or charge the crowd, so they were withdrawn about 100 yards to get them clear from the crowd and make a new stand. Mr. Beckett went to call reinforcements. Captain Massey, the Officer Commanding, passed on his way to the Ram Bagh from the railway station to bring up infantry. Before his arrival at the Ram Bagh another picket of mounted men under Lieutenant Dickie had left for the spot in support of the over-bridge picket. Infantry under Lieutenant Brown were marching for the station and Captain Massey gave intructions to use any conveyance that could be had to get to the station at once and to keep the crowd on the other side of the railway. Lieutenant Dickie's mounted party arrived first, took over the position and temporarily held up the crowd. By some misunderstanding of orders the original picket seems to have left the spot. The Deputy Commissioner left to go after Captain Massey and make arrangements for further help. Shortly afterwards Mr. Connor, an Assistant Commissioner, who had been detailed to proceed to the Kotwali, came upon Lieutenant Dickie's picket, he thinks some 6 or 7 men partly British and partly Indians—more probably 4—2 Indians and 2 British—trotting back at a fast pace and being badly stoned by a dense crowd. These missiles were stones for road-metalling of which there was a collection some little way off—apparently on the other side of the railway line. Mr. Connor was asked by Lieutenant Dickie to send reinforcements. He halted and rallied the picket, told Lieutenant Dickie that he must not let the crowd into the civil lines, and that it was his duty to fire. On this two British soldiers of the picket dismounted, took cover behind some culverts and fired three or four shots each. Some of these took effect, three or four individuals being killed or wounded. The crowd was brought to a standstill at once ; it may have retired somewhat, but did not disperse. In our opinion this resort to firing was completely justified as absolutely necessary in the circumstances and in no way exceeding the occasion.

13. Shortly afterwards, Mr. Plomer, Deputy Superintendent of Police, arrived from the police lines with 24 foot police and 7 sowars. This was about 1 P.M. Two or three casualties were lying in front of Madan's shop. The police were marched towards the crowd and brought up with muskets loaded with buckshot at the 'ready position' about 40 yards away. On this some local lawyers came forward and said they would take the crowd away. Mr. Plomer gave them a chance to do this and they succeeded in taking the mob away from the foot-bridge and railway line in the direction of the Telegraph Office which is on the city side of the railway. This had been almost effected by the time Lieutenant Brown's party of infantry arrived followed a little later by further infantry. Both foot and road bridges were taken over by the infantry and the police picket of 24 men took over the railway level crossing.

The bridges cleared.

14. It is to be observed that by 1 o'clock the crowds making for the civil lines were not merely those who were attempting to approach *viâ* Hall Gate. Crowds were coming out also through Hathi Gate and Lohgarh Gate. There was really one huge crowd stretching to Aitchison Park which had been one of the first places in which people had collected on that morning. Mr. Plomer estimates that 30,000 people were taking part in the total crowd. It is not possible to state with certainty the order in which acts and incidents occurred in different parts of the town; many of them appear to have taken place very quickly and at about the same time: some of them had been completed and others begun before the incident of the second firing which we will deal with next.

The total crowd.

15. The foot-bridge and road-bridge at Hall Gate having been cleared they were occupied each by a small infantry picket, a third picket being in reserve. In a short time the Deputy Commissioner had returned to this locality and was called first to the foot-bridge against which a hostile crowd was forming. This crowd withdrew on being threatened. Thereupon he was called to the road-bridge (Hall Bridge) as a large crowd had approached determined to rush the picket. He took some mounted men with him, and rode out in front of the picket endeavouring to get the crowd to disperse. Mr. Plomer did the same. Their efforts and warnings were persistent and repeated, but the crowd closed in and they had to fall back to the picket. Mr. Plomer rode forward again and told the crowd that firing would take place. Two Indian gentlemen were in front trying to assist by persuading the crowd to go back, and the Deputy Commissioner was reluctant to fire in case they might be hit. While he was still considering as to his orders, the crowd made a rush, at the same time stoning the picket. The non-commissioned officer in charge was given the necessary order, the crowd was fired upon and between twenty and thirty casualties ensued. This incident took place at about 2 P.M. At this stage, and of this crowd, we consider it certain that the temper and determination to violence was more obvious, more resolute and more vicious than that which had

Hall Bridge and the second firing.

been exhibited earlier in the day. We think that the order to fire was rightly given and we can find no ground for saying that the necessity of the moment was in any way exceeded or abused.

Sequence of events.

16. Before the close of the incident just described great destruction had commenced in the city. Thus when the Deputy Commissioner returned to the bridges near Hall Gate within half an hour of the first firing he noticed that smoke was coming up from the National Bank. This was not later than 1-30 and probably not many minutes after 1 o'clock. Again Mr. Plomer who saw the attack upon the Telegraph Office says that this was long before the second firing at Hall Bridge. Save for these facts, we propose to state the occurrences briefly without burdening our report by an attempt to arrive at the exact order of acts of destruction or to establish sequences upon which nothing turns.

The Banks.

17. The Kotwali and Town Hall of Amritsar stand facing each other on different sides of the road which runs (through a gateway joining the two buildings at one end) straight along to Hall Gate. A short distance from the gateway a street runs off to the right and a few yards down this street is the Chartered Bank. The side of this building is visible from the outside of the gateway across a grass plot enclosed by iron railings, and the building is from 50 to 80 yards from the Kotwali.

The National Bank is on the direct road from the Town Hall to Hall Gate. It is on the right-hand side of the road and about 238 yards from the Kotwali.

The Alliance Bank is a corner building about 198 yards from the Kotwali. As one comes from Hall Gate down Hall Bazaar, past the National Bank and through the gateway above-mentioned, one has to pass between the Town Hall and the Kotwali for the whole length of these buildings, and, after turning somewhat to the right, one reaches the Alliance Bank.

At the National Bank Mr. Stewart the Manager and Mr. Scott the Assistant Manager were brutally beaten to death by the mob: their bodies were burnt in a pile of bank furniture in the middle of the bank building and the building itself was sacked, set on fire and completely gutted. The godowns at the rear in which large quantities of piece goods were kept were broken into and thrown open for looting.

The Alliance Bank was attacked; the Manager, Mr. G. M. Thomson, who attempted to defend himself with a revolver was cruelly murdered, and flung from the balcony on to the street: his body was burnt in the street under a pile of Bank furniture drenched in kerosene oil. The building itself was not destroyed. It is owned by Indians, and in view of the manifest race-hatred of the mob, we do not doubt that this fact made them spare it.

At the Chartered Bank, glass and other property had been smashed and some attempt made to set it on fire, when 25 armed constables from the Kotwali under Khan Sahib Ahmad Jan, Deputy Superintendent

of Police, dispersed the crowd without any difficulty, simply rushing at it and shouting '*pakro pakro*'* upon which the mob ran away. This was not before 1-30 P.M. and may have been later. The European Manager, Mr. J. W. Thomson and his Assistant Mr. Ross, had taken refuge in an upper storey : after some time—apparently about 3 o'clock—they were taken to the Kotwali, close at hand, and the Deputy Superintendent of Police with the bulk of his guard stayed on at the Chartered Bank without further incident till about 5 P.M.

The Town Hall itself and the sub-post office attached to it were set on fire under the nose of the armed police reserve at the Kotwali. It seems that a quantity of kerosene oil belonging to the Municipal Committee was lying near or in the Town Hall, and was used by the mob in setting fire to this and other buildings such as the National Bank.

Failure of the Police reserve.

18. Before dealing with other outrages committed by the mob, it is necessary to make special comment, as regards those just mentioned, upon the inactivity of the armed police reserve. This is necessary in fairness to the Deputy Commissioner whose arrangements were broken down by the ineffective handling of this reserve. On this morning, Khan Sahib Ahmed Jan, Deputy Superintendent of Police (with 30 years' service), assisted by Muhammad Ashraf Khan, City Inspector of Police (25 years' service), was stationed at the Kotwali in charge of the reserve which consisted of 75 men with muskets and ammunition. Both officers had long service and good records. In addition there were several other men belonging to the Kotwali and some fifteen or sixteen detectives, whose duty it was to go about the city and bring reports to the Kotwali. Khan Sahib Ahmed Jan had received Mr. Plomer's orders by the mouth of the City Inspector and these were merely orders to take charge of the reserve. But he knew that trouble was apprehended, that Amritsar was in a condition of excitement, that he was there to maintain order with the force at his command and that his 75 men were the police reserve for the whole city. The City Inspector was in the same position : any useful information that could be got it was their duty to obtain for themselves.

Unfortunately we find it difficult to accept as accurate the evidence of either officer on some important details and they conflict on material points. The Deputy Superintendent says that he kept his men in the rear of the Kotwali as had been done on the 6th to be out of sight of the crowds and not to excite them ; and that this was the position until—at about 1-30 P.M.—he was called to aid at the Chartered Bank. The City Inspector's evidence is in conflict on this point. The Deputy Superintendent says that crowds passed between the Kotwali and Town Hall through the gateway into Hall Bazaar until he left for the Chartered Bank. The City Inspector says this road and gate had been cleared and barred by a line of men since about noon. The Deputy Superintendent says that when he left for the Chartered Bank the fire in the

* Seize ! Seize !

Town Hall had not broken out. The City Inspector says that it had. However the facts may be upon these matters, the police reserve was too late to save the Town Hall in front of them, much too late to save Mr. Thomson of the Aliance Bank and still more too late to save the National Bank, its officers or its property from an attack that occupied the mob for hours. The godowns were being looted as late as 5 P.M. The Inspector-General of Police was of opinion after enquiry that in the case of the Chartered Bank, the Europeans were saved by the loyalty of their clerks who hid them so securely that the mob, having failed to find them, had practically left the building, when the Deputy Superintendent arrived with his guard, though a crowd was still in the street. The facts before us indicate the probability of this.

In any possible view both officers failed either to grasp, or to attempt to cope with, their responsibility. Their lack of initiative and of reasonable precaution and the direct consequences of this are too plain for argument. Seventy-five armed men resolutely handled could, with ordinary skill and alertness, have made impossible the outrages which took place close to the Kotwali.

It has not been proved before us that the attacks upon any of the banks were known at the Kotwali before the time at which aid was despatched, but when the best is made of the story narrated by the two officers it is one of helplessness and muddle. There is no explanation of the burning of the Town Hall which stood in front of them save that it had a road at the back as well as in front. On this road highly excited crowds had been passing and the Inspector tells us that the police had had to threaten to fire on a crowd there in order to rescue Mr. Jarman, the Municipal Engineer. No steps whatever were taken to see what could be seen from the Kotwali or its immediate precincts, to get information about Hall Bazaar from the gateway, to keep an eye on the crowds at the back of the Town Hall, to keep a look-out in the direction of the Alliance Bank or any of the other banks which had been picketted on the *hartal* of the 6th. The Deputy Superintendent did not even receive a single report from the detectives who were his only scouts. His conduct at the Chartered Bank was pointless and ineffective beyond excuse. He explains that when he got to the Chartered Bank he stayed there till 5 o'clock—up till 3 o'clock guarding the two Europeans and thereafter when these had gone to the Kotwali to give the people an impression that the Europeans were still there so that they would not assault the Kotwali. It is not clear upon his evidence that up to 1-30 he had done anything: it is clear that from that time until 5 o'clock he took no steps to make any enquiry or to do anything as regards the city or as regards his main reserve. He knew enough and more than enough to call for energetic action: the duty upon which he employed all his time and 25 of his armed men was idle and unnecessary after the first ten minutes; since the Europeans could have been brought at once to the Kotwali and a small picket left at the bank within easy hail of those headquarters.

When we have added to this narrative of the police reserve that there were about a hundred unarmed constables scattered throughout Amritsar

in the ordinary course, and that these did not come upon the stage in any part of the tragedy enacted in the city upon the 10th of April, we have done what we can to explain why the mobs were left uncontrolled and almost unchecked.

Telegraph Office.

19. When the crowd had been induced to withdraw from the foot and road bridges after the first firing near Hall Gate, it retired towards the Telegraph Office. This office was shortly afterwards attacked from two sides, a mob from the Aitchison Park side joining in the destruction. Telephone instruments were smashed to pieces, and the Telephone Exchange with its switchboard and fittings destroyed. This put out of action the whole telephone system of the town. Captain Massey had previously on that morning ordered the Jemader of the station guard to take a party to the foot-bridge so as to have the Telegraph Office under observation and be ready to go to its defence. This officer and his men managed to beat off the mob from the Telegraph Office, and to rescue Mr. Pinto, the Telegraph Master, as he was being seized and dragged from his room, but not without recourse to firing. Eighteen rounds were expended in this rescue and we have no difficulty in upholding as entirely justified.

Station and goods yard.

20. The goods yard was stormed, damaged and looted and Guard Robinson of the North-Western Railway, who was going towards the foot-bridge in the course of his work was chased and brutally beaten to death. Mr. Bennett, the Station Superintendent, was caught and injured severely, but the station picket was in time to save his life. Telegraph wires were cut but the actual platform of the station was held by a picket and this portion of the station was not damaged.

Sergeant Rowlands murdered.

21. Sergeant Rowlands, Electrician to the Military Works, had gone into the city and was endeavouring to make his way back to the Fort when he was attacked near the Rego Bridge and murdered. His skull was battered in— apparently by a straining screw.

Miss Sherwood.

22. Miss Sherwood, a lady missionary, was pursued by a mob when bicycling in a narrow street in the city on her way to one of her schools. The assault has not been detailed to us by eye-witnesses, but it was investigaated and described by a Martial Law Commission. Its brutality was well known at the time and is not in dispute : it need only be indicated here. She was intercepted and overtaken by the mob, knocked down by blows on the head, beaten while on the ground : when she got up to run she was knocked down again more than once : a door which she tried to enter was slammed in her face : in the end she was left on the street because she was thought to be dead. We should not omit to point out that she was afterwards picked up by some Hindus by whose action she was enabled to receive medical attention in time, as we understand, to save her life.

23. Another incident, vividly showing that no European of either sex was safe from the mob, is the search for Mrs. Easdon the lady doctor in charge of the Zenana hospital. This hospital was entered and twice ransacked to find her: she contrived to conceal herself on both occasions and the second search was discontinued before she had been discovered upon news reaching the rioters of loot at the National Bank.

Mrs. Easdon.

24. The Indian Christian Church and the Religious Book Society's Depôt and Hall were burnt: an attempt to burn the Church Missionary Society's Girls' Normal School was frustrated by the police picket, from the police lines crossing, under Inspector Marshall.

Christian buildings.

25. Sub-post offices at the Golden Temple, Hajith Mandi and Dhal Basti Ram were looted. The first two as well as the office at the Town Hall were combined post and telegraph offices and at all three places the telegraph instruments and fittings were destroyed.

Post Offices.

26. Looting—at least at the godowns of the National Bank—proceeded late into the evening; but almost all the acts of murder, arson, pillage and destruction which we have described took place in the early afternoon. Before nightfall, however, interruptions of communications were amounting to a serious attempt to isolate Amritsar. The Telegraph Office had been one of the first objectives of the mob, but the damage done before this mob was beaten off affected the telephone more than the telegraph system. Some telegraph wires had been cut at the goods yard, and by about 2 P.M., all railway telegraph wires near Amritsar were cut. During the day both telephone and telegraph wires were cut in many places throughout Amritsar and its environs. The railway police guard on the Calcutta mail fired on and scattered a party attempting to destroy the main line to Lahore. At Bhagtanwala railway station which is on the Tarn Taran line, and about one mile from the Golden Temple, the station building was looted and burnt in the afternoon; the goods-shed and a waggon were looted: the points-locks and the telegraph wires broken. At night Chheharta railway station was attacked by villagers who looted a goods train that was standing in the yard.

Attack on communications.

27. This narrative of mob violence, while doubtless not exhaustive is sufficient to show the nature and character of the outbreak in all important respects. That it was *anti*-Government is clear at every stage: starting in anger at the action of Government in deporting the two local politicians it proceeded by attack upon post offices and the railway (which is really a State railway and is regarded as such). Almost, though not quite from the first, hostility to Government became a murderous antipathy to Europeans—not merely to officials but to Europeans as such. The attack upon the banks was primarily motived by this race-hatred which led and directed the desire for destruction and loot. The destruction of buildings

Nature of the violence.

associated with Christian institutions, or thought so to be, points firmly in the same direction. The records of the trials certainly go to show that the actual perpetrators of brutal murder were not representative Amritsar citizens, but of what may be called the "hooligan" class, some of whom in Amritsar appear to have had a certain leadership or influence over those of their own kind. But the numbers of the crowds taking part in the general disturbance, the extent to which crime and destruction were carried, the area which they covered, the time they lasted, the general political motive of defiance to authority and destruction of its emblems, instruments or agents are facts too clear to be gainsaid. We do not omit to notice and to signalise the fact that some Indian citizens were doing their best to reason with the crowds which had to be repulsed at Hall Bridge, that Miss Sherwood was ultimately taken care of by some Indians, and that Mrs. Easdon owed her life to her *chaprasi*.* Other efforts by sane and loyal citizens inside the city on that day we have no doubt there were. Of visitors to the Horse Fair, we know also that a stalwart band of Indian officers, sowars and daffadars were collected by Khan Bahadur Fazal Dad Khan, Rissaldar-Major of the 12th Cavalry, and volunteered their services to the officer at the Fort.

It is clear that the first brutalities were commenced at latest very early after the first firing at Hall Bridge and it is possible that nothing, or nothing much, was done before this—that is, until the crowd saw that they would not get to the Deputy Commissioner's bungalow in the civil lines. The Criminal Investigation Department Inspector Pandit Jiwan Lal who saw the mob at the Telegraph Office says he heard shouts "They have killed our brethern and we will kill them" and that by this time they were armed with sticks. For this reason we have set out somewhat fully the facts as to this firing. That this act of a small and hard-pressed picket doing its duty at the latest moment possible, is in any degree a mitigating circumstance seems to us unreasonable. It angered some and as an incitement it might well be effective with others. That it was the cause of the excesses on the 10th is merely untrue.

Women and children.

28. During the day European women and children were taken to the Fort where they were retained in conditions of extreme discomfort. Lieutenant-Colonel Smith on the sound of the first firing went into the city with his ambulance and brought out some lady missionaries and Indian Christians. He returned to the Girls' School to find it being attacked by a mob which turned on him. He escaped with his ambulance and in the meantime the police picket at the police lines crossing had gone to the rescue.

Reinforcements.

29. Between 1 and 2 o'clock a party of 1-9th Gurkhas unarmed but 260 strong had arrived at the railway station on their way to Peshawar under Captain Crampton. These were detained. One hundred of them were armed from the Fort and pickets were strengthened. The railway station

* Messenger: orderly.

itself was now safe and the Rego Bridge could be strongly guarded while the women and children were being got to the Fort.

Late that night—after 10 o'clock—300 troops—125 British and 175 Blauchis—arrived from Lahore under Major Macdonald who took over command from Captain Massey. Early on the 11th, 300 more troops arrived from Jullunder—100 British and 200 Indian.

The Military in charge.

30. The Commissioner of the Division (Mr. A. J. W. Kitchin) and the Deputy Inspector-General (Mr. D. Donald) arrived at the railway station from Lahore by motor car at 5 o'clock on the evening of the 10th. A letter was brought from the Kotwali stating that all the Europeans alive were inside that building and in no danger. It had been decided to send a party to fight its way into the city to rescue Europeans whose danger was obvious but whose fate was unknown : on the letter being received this measure was postponed till the reinforcements should arrive from Lahore as most of the Gurkhas were still without arms. Late at night when Major Macdonald arrived with his men, the Commissioner told him verbally, that the situation was beyond civil control and that he, as senior Military Officer, was to take such steps as the military situation demanded. He seems to have made it clear that these steps were to be for the purpose of reestablishing civil control. He further asked that a party be sent into the city to get information and bring out the surviving Europeans. This party was despatched. Mr. Plomer, the Deputy Superintendent of Police, went with the party but no civil magistrate was sent as it was thought to be a purely military operation in which the presence of a civil magistrate would embarrass the military officer. Instead of the party having to fight its way through the streets, as the Commissioner anticipated, the streets were found deserted. The Chartered Bank officers—Messrs. Thomson and Ross—together with Mr. Jarman and a Sergeant Parsonage who had taken refuge in the Kotwali, were brought out in safety.

11th April. The funerals.

31. The total number of persons killed on the 10th by the fire of the troops was approximately ten ; the number wounded must be greater. On the 11th certain persons from the city came to the civil lines to arrange as to processions for the burying of the dead. The Commissioner says they appeared to him to be representing the rioters and that their attitude was defiant. There had been an intention of holding these burials in the Jallianwala* Bagh and again of holding large processions to the usual burial place outside the city. In the end these emissaries were told that only small parties would be allowed to go to the burial ground ; that the funerals must be commenced at 2 o'clock and that by four the parties must be backed in the city. These orders were not agreed to, but in fact they were ultimately carried out—the dead were taken from Khair-ud-din's mosque out by the Sultanwind Gate : large processions both of Hindus and Muhammadans seem to have followed in the city but not further.

* Also spelt Jallewalian.

A witness speaks to rumours being circulated among the crowd at the mosque, that at Lahore the Fort and Anarkali had been occupied by Indian troops who had rebelled. This rumour was in existence the previous day as the Commissioner himself heard of it on the 10th.

11th April. A notice. Kotwali held.

32. The persons who came to arrange as to the funerals were mostly young lawyers. A notice signed by the Deputy Commissioner was handed to them that they might distribute and explain it to the people in the city. This was at that time thought to be the only practicable method of publication. The notice stated—"The troops have orders to restore order in Amritsar and to use all force necessary. No gatherings of person nor processions of any sort will be allowed. All gatherings will be fired on. Any persons leaving the city in groups of more than four will be fired on. Respectable persons should keep indoors." The Principal of the Khalsa College was also asked to get his students to tell the people that the authorities considered that a state of war had broken out and they must settle down. All third class booking to Amritsar by rail was stopped as the Baisakhi festival was approaching and it was desired to prevent innocent strangers from coming into so grave a situation.

A party of a hundred rifles went into the city as far as the Kotwali leaving strong pickets at the side streets. From this time the Kotwali and its approaches were held by troops. A magistrate was sent to Tarn Taran to do what he could there by local levies as no troops could be spared from Amritsar. The *tahsildar* at Ajnala was given similar instructions. Orders were given to village headmen to get villagers to keep watch and ward on the railway line. No business was going on in Amritsar and much time seems to have been spent upon the question of the funerals.

On the evening of the 11th the Commissioner left for Lahore and later Brigadier-General R. E. H. Dyer, C.B., who commanded the Jullundur Brigade, arrived at Amritsar and took over charge from Major Macdonald. He transferred headquarters from the railway station to the Ram Bagh.

12th April. General Dyer's Column. Arrests.

33. On the 12th a strong column under General Dyer marched round the city as crowds were reported to be collecting outside it. These were made to go back peaceably and the troops went into the city to the Kotwali. Small parties of troops were sent with police to make arrests in connection with the crimes of the 10th and several important arrests were made. General Dyer says that the bearing of the inhabitants was most insolent and many spat on the ground as the troops passed. At one point—the Sultanwind Gate—there were shouts of "*Hindu-Mussalman ki jai*" and the mob was dispersed with difficulty. The advisability of opening fire was considered by the General but he refrained as he thought he should first warn the people by a proclamation. Accordingly on this day a proclamation was drawn up in the following terms :—

Proclamation.

"The inhabitants of Amritsar are hereby warned that if they will cause damage to any property or will commit any acts of violence

in the environs of Amritsar, it will be taken for granted that such acts are due to incitement in Amritsar city and offenders will be punished according to Military Law.

"All meetings and gatherings are hereby prohibited and will be dispersed at once under Military Law."

The issue of this proclamation which was formally signed by the Brigade Major on General Dyer's behalf was left to the police: it does not appear what steps were taken to ensure its publication.

12th April. Disorder in vicinity of Amritsar.

34. On the 12th also a small force was sent from Amritsar to Tarn Taran. By some misunderstanding this force was brought back at night instead of remaining there as intended. On its leaving a large crowd of villagers assembled to loot the *tahsil* but the Inspector of Police turned out with a small body of men and by showing a bold front drove off the crowd. Troops were sent there on the next day and stayed there.

During the day telegraph wires were cut between Chheharta and Amritsar, between Khassa and Gurusar and between Khasa and Chheharta. About midnight the railway line was torn up between Chheharta and Khasa and a goods train was derailed.

13th April. Proclamation by beat of drum.

35. On the morning of the 13th April, General Dyer went through the city in company with the District Magistrate and some others and had a proclamation read out by the *naib-tahsildar** to the people who were summoned by beat of drum at a considerable number of different places. From an examination of the map† showing the different places where the proclamation was read it is evident that in many parts of the city the proclamation was not read. The proclamation as drawn up in English is in these terms :—"It is hereby proclaimed to all whom it may concern that no person residing in the city is permitted or allowed to leave the city in his own or hired conveyance or on foot without a pass. No person residing in the Amritsar city is permitted to leave his house after 8. Any persons found in the streets after 8 are liable to be shot. No procession of any kind is permitted to parade the streets in the city or any part of the city or outside of it at any time. Any such processions or any gathering of 4 men would be looked upon and treated as an unlawful assembly and dispersed by force of arms if necessary."

It is said that many people on hearing this proclamation read did not treat it seriously, but that remarks were made that it was bluff, that the General would not fire and not to be afraid. At the time when "General Dyer's proclamation was being read out, a counter-proclamation was made to the effect that the meeting would be held in the afternoon in the Jallianwala Bagh. A meeting had been held on the 12th April

* Assistant to the *tahsildar*, the revenue collecting officer of a sub-division of a district.

† *Vide* appendix.

in the compound of the Hindu Sabha School at which an announcement had been made for a meeting to be held at the Jallianwala Bagh on the 13th April."

First news of a meeting.

36. About one o'clock General Dyer heard that the people intended to hold a big meeting about 4-30 P.M. On being asked why he did not take measures to prevent its being held, he replied "I went there as soon as I could. I had to think the matter out, I had to organise my forces and make up my mind as to where I might put my pickets. I thought I had done enough to make the crowd not meet. If they were going to meet, I had to consider the military situation and make up mind what to do, which took me a certain amount of time."

It may be noted that in consequence of information received from neighbouring villages detachments of troops had been sent to various places.

At the Bagh.

37. About 4 o'clock in the afternoon of 13th April, General Dyer receive definite information that a meeting was being held at Jallianwala Bagh contrary to the terms of the proclamation issued by him that morning. He then proceeded through the city with a number of pickets which he left at pre-arranged places and a special force of 25 Gurkhas and 25 Baluchis armed with rifles, 40 Gurkhas armed only with kukris and 2 armoured cars. On arriving at Jaillianwala Bagh he entered with this force by a narrow entrance which was not sufficiently wide to allow the cars to pass. They were accordingly left in the street outside.

The Jallianwala Bagh is not in any sense a garden as its name would suggest. It is a rectangular piece of unused ground covered to some extent by building material and debris. It is almost entirely surrounded by the walls of buildings. The entrances and exits to it are few and imperfect. It seems to be frequently used to accommodate large gatherings of people. At that end of the Bagh by which General Dyer entered there is raised ground on each side of the entrance. A large crowd had gathered at the opposite end of the Bagh and were being addressed by a man on a raised platform about 100 yards from where General Dyer stationed his troops. According to the report sent by General Dyer to the Adjutant-General after the occurrence the crowd numbered about 6,000. It is probable that it was much more numerous and that from 10 to 20 thousand people were assembled.

Firing.

38. As soon as General Dyer entered the Bagh he stationed 25 troops on one side of the higher ground at the entrance and 25 troops on the other side. Without giving the crowd any warning to disperse, which he considered unnecessary as they were in breach of his proclamation, he ordered his troops to fire and the firing was continued for about 10 minutes. There is no evidence as to the nature of the address to which the audience was listening. None of them were provided with fire-arms although some of them may have been carrying sticks.

As soon as firing commenced the crowd began to disperse. In all 1,650 rounds were fired by the troops. The firing was individual and not volley firing. Many casualties occurred among the crowd. As General Dyer, when the firing ceased, immediately marched his troops back to the Ram Bagh just outside the city there was no means at the time of forming a correct estimate of the number killed and wounded. At first it was thought that about 200 had been killed and this number was apparently referred to as the list of casualties. Recently an investigation into the numbers has been completed by the Government with the assistance of a list compiled by the Allahabad *Seva Samiti*.* As a result of this investigation it was discovered that approximately 379 people were killed. Of these about 87 were strangers or villagers who had come into Amritsar from the neighbouring district. No figure was given for the wounded; but their number may be taken as probably three times as great as the number of killed.

Casualties.

After the firing at Jallianwala Bagh no serious outbreak occurred in Amritsar. Shops continued to be shut for some days but the life of the city gradually resumed a more normal aspect. In the immediate vicinity there was an attempted dacoity by the villagers of Ballarwal on that of Malhowal and one or two cases of wire-cutting, but otherwise there was nothing further calling for notice in this area.

39. General Dyer's action in firing on the crowd at Jallianwala Bagh is open to criticism in two respects. (First) that he started firing without giving the people who had assembled a chance to disperse and (second) that he continued firing for a substantial period of time after the crowd had commenced to disperse.

Criticism of this action. (1) No warning to disperse.

In the ordinary case where a proclamation has been issued forbidding assemblies of people, and intimating that a gathering held in defiance of the proclamation may have to be dispersed by military force, notice is properly given to the crowd before they are actually fired upon. The military situation at the time, *e.g.*, the risk of a small force of soldiers being overwhelmed by a threatening mob may justify firing without the formality of giving a notice to disperse, being observed. The only person who can judge whether or not such an emergency has arisen is the officer in command of the troops. In his report to the General staff, dated 25th. August 1919, General Dyer does not suggest the existence of such an emergency from anything observed by him in the demeanour of the crowd prior to his giving the order to fire. When examined before us he explained that his mind was made up as he came along in his motor car—if his orders against holding a meeting were disobeyed he was going to fire at once. Apparently he looked upon the warning which he had given in the morning as sufficient notice and justification for his firing upon a crowd assembling in defiance thereof. As he expresses it in the report to which we have just referred " My work

* Social service league.

that morning in personally conducting the proclamation must be looked upon as one transaction with what had now come to pass. There was no reason to further parley with the mob, evidently they were there to defy the arm of the law."

We may note that while the proclamation issued by General Dyer as expressed in English is " any gathering of 4 men will be looked upon and treated as an unlawful assembly and dispersed by force of arms if necessary " we were informed by Mr. Fateh Khan, the *naib-tahsildar* who explained the proclamation in vernacular to the people, that he intimated that an assembly of people held in defiance of the proclamation would be dispersed by force of arms by the military, the addition " if necessary " being left out. The absence of these words is, however, not important as, though not expressed, they are necessarily implied. We think it distinctly improbable—notwithstanding what General Dyer said in his evidence—that the crowd gathered in the Jallianwala Bagh would have dispersed upon notice being made that they should do so and much more likely that recourse to firing would have been necessary to secure obedience to his proclamation. The majority at all events of the people who assembled had done so in direct defiance of a proclamation issued in the interests of peace and order—many thinking that the reference to firing was mere bluff. In spite of this circumstance, notice to disperse would have afforded those assembled in ignorance of the proclamation and other people also an opportunity to leave the Bagh and should have been given. If the notice had been disregarded, General Dyer would have been justified in firing on the crowd, to compel it to disperse.

(2) Firing while crowd dispersing.

40 In continuing to fire for so long as he did it appears to us that General Dyer committed a grave error. As soon as firing started the crowd began to disperse. Mr. Plomer, Deputy Superintendent of Police, who was with General Dyer on the 13th April arrived at Jallianwala Bagh in a motor car behind the car in which the General drove. On his getting into the Bagh firing had started and was continued for about 10 minutes during which time the crowd was trying to escape as far as they could. General Dyer made his statement very frankly to us and we believe that he honestly considered that he was called upon in the discharge of his duty to take the extreme step which he did. The situation as it presented itself to his mind during the time that had elapsed since his arrival at Amritsar was serious and difficult. On 12th April he had received a communication by aeroplane in the following terms :—

" Telegraph line reported cut this morning between Cantonment East and Harbanspura. Lohore quiet. Kasur reports at 06-10 armoured train visited Khem Karan during night and found station wrecked but no casualties. Rioters in small numbers apparently organised for destruction left in direction of Sutlej." On the same day he had a telegram from the Telegraph Master reporting that all telegraph wires between Lahore and Amritsar had been cut and other communications as to the attack on the station and on Europeans at Kasur. On the 13th April

he was informed by Mr. Miles Irving that secret meetings had taken place near the Ram Bagh where his headquarters were. From these communications General Dyer concluded that there was a wide-spread movement which was not confined to Amritsar alone. He was afraid that an attempt might be made to isolate his forces and cut him off from other supplies.

In continuing firing as long as he did, it is evident that General Dyer had in view not merely the dispersal of the crowd that had assembled contrary to his orders, but the desire to produce a moral effect in the Punjab. In his report he says :—" I fired and continued to fire until the crowd dispersed, and I consider this is the least amount of firing which would produce the necessary moral and widespread effect it was my duty to produce if I was to justify my action. If more troops had been at hand the casualties would have been greater in proportion. *It was no longer a question of merely dispersing the crowd,* but one of producing a sufficient moral effect from a military point of view not only on those who were present, but more especially throughout the Punjab. There could be no question of undue severity." In our view this was unfortunately a mistaken conception of his duty. If necessary a crowd that has assembled contrary to a proclamation issued to prevent or terminate disorder may have to be fired upon ; but continued firing upon that crowd cannot be justified because of the effect such firing may have upon people in other places. The employment of excessive measures is as likely as not to produce the opposite result to that desired.

Attention to wounded.

41. General Dyer's action in not attending to or making provision for the wounded at Jallianwala Bagh has been made the subject of criticism. It has to be remembered, however, that he was acting with a very small force and that after firing ceased he at once withdrew to his quarters at Ram Bagh. On being questioned as to whether he had taken any measures for the relief of the wounded, General Dyer explained that the hospitals were open and the medical officers were there. " The wounded only had to apply for help. But they did not do this because they themselves would be in custody for being in the assembly. I was ready to help them if they applied." He added that it never entered his head that the hospitals were not sufficient for the number of wounded if they cared to come forward. It has not been proved to us that any wounded people were in fact exposed to unnecessary suffering from want of medical treatment.

Sir Michael O'Dwyer's approval.

42. The first communication that reached Lahore of what had occurred at Jallianwala Bagh was in a mutilated message to the Deputy Inspector-General of the Criminal Investigation Department at about 11 or 11-15 on the night of the 13th. It was telephoned to Mr. Thompson, the Chief Secretary, in the following terms :—

" 11-30 P.M. Got message from the Deputy Commissioner, Amritsar, much mutilated. Sense seems to be—seven arrests were made to-day and a prohibited meeting dispersed. Communicated to Colonel Gasnell who had no report from the General

Officer Commanding Amritsar. Rumours heavy casualties in Amritsar to-day."

About 3 A.M. on the 14th two gentlemen arrived by motor-car with a communication from the District Magistrate. The Lieutenant-Governor was informed of this message. It was to the effect that the meeting at Jallianwala Bagh had been dispersed by force and that the death casualties amounted to about 200. Sir Michael O'Dwyer says that he was informed that only British troops had been used and that there was no civil officer with General Dyer at the time. He asked for details from General Beynon. Early next morning General Beynon telephoned General Dyer's report to the Lieutenant-Governor's Private Secretary. "I made no record of the message," says Sir Michael O'Dwyer. "It showed as far as I can remember that General Dyer had used only Indian and Gurkha troops, that he was accompanied by the Superintendent of Police. I am stating the message as I remember to have received it—that he had to disperse a mob of several thousands assembled in open defiance of his proclamation that morning, that the dead casualties had been about 200 and that order had been completely restored in Amritsar. That was the message briefly as far as I remember it. It was General Beynon's summary of the message he had received from General Dyer and General Beynon who is General Dyer's superior said that he fully approved of General Dyer's action and asked if he might convey my approval." According to Sir Michael the time was not one for disputing the necessity of military action. "I approved of General Dyer's action in dispersing by force the rebellious gathering and thus preventing further rebellious acts. It was not for me to say that he had gone too far when I was told by his superior officer that he fully approved General Dyer's action. Speaking with perhaps a more intimate knowledge of the then situation than any one else, I have no hesitation in saying that General Dyer's action that day was the decisive factor in crushing the rebellion the seriousness of which is only now being generally realised."

Effect.

43. The action taken by General Dyer has also been described by others as having saved the situation in the Punjab and having averted a rebellion on a scale similar to the Mutiny. It does not, however, appear to us possible to draw this conclusion, particularly in view of the fact that it is not proved that a conspiracy to overthrow British power had been formed prior to the outbreaks.

Powers given to the military by the local officers. 10th to 13th April.

44. The view taken as to the justification for martial law formally instituted on the 14th will affect the question whether the Commissioner was right in handing over control at Amritsar to the military commander in the manner and to the extent which have been described. This latter though a minor question raises issues of constitutional importance: there is a real distinction between military assistance to civil authority and *de facto* martial law. The former is an application of force to effectuate the ordinary law in a limited respect and upon a particular occasion. The latter takes many rights and liberties

away and substitutes a new form of administration. We appreciate therefore that the action of the Commissioner may be canvassed in relation to high principles : though it has to be borne in mind that decision taken by an officer in face of an emergency, sudden and extreme, may involve difficult legal or constitutional questions which he has no chance and no duty to disentangle before taking action.

At the time when Major Macdonald was told that the situation was beyond military control and that he must take such immediate steps as the military situation demanded, Mr. Kitchin, the Commissioner, did not intend either to supersede the Deputy Commissioner or to make a formal abandonment of his own functions. He expected—with every reason—that surviving Europeans in the Kotwali would not be rescued that night save by troops fighting their way through the streets. It was not his fault that the situation had become a military one : until things should greatly change the military situation was the only one. As both civil and military authorities were working hard together, living in their boots at the railway station, eating and sleeping together as they could, it is to expect a great deal to require that on the 10th or 11th the distinction between military aid and martial law—not much in point— should be much considered. We find the order as to burials signed by the Deputy Commissioner though it was just as much the order of the Officer Commanding and seems to have been handed out by the latter. The Deputy Commissioner had General Dyer's proclamation of the 13th translated and accompanied him when it was proclaimed by beat of drum.

If under the Criminal Procedure Code a clear provision for the case was to their hand, we should consider that the civil officers were bound to know it and to act accordingly. But the provisions of this Code are in terms provisions for dispersing " any unlawful assembly or any assembly of five or more persons likely to cause a disturbance of the public peace." Section 131 gives power to any commissioned officer of His Majesty's Army to disperse such an assembly by military force when the public security is manifestly endangered by it, although no magistrate can be communicated with. We see much difficulty in assuming that the necessities of the 10th of April are in any way provided for by a mere direction as to how an assembly can be dispersed and we think that the Commissioner, on the facts as known to him, had to act promptly and adequately upon general principles, caution and common sense. One of the reasons—and not the least—for execrating such excesses as those of the Amritsar mobs is just that they imperil regular government.

The measures taken. 10th to 12th April.

15. Whether in a correct view rebellion was on foot or not in the Punjab or in this district of it, the Commissioner at the railway station had to take stern and urgent measures to cope at once with violence of which the measure and the limit were entirely uncertain. Its ostensible attributes at least were black beyond any shading : adjectives, categories and distinctions were less important than adequate precaution. It was clear that the civil power had become powerless ; that anything

done for the present had to be done or enforced by the military ; that in doing anything the military officers would require a free hand within wide limits. If in these circumstances we find as we do here that the military officer was given as the object before him the restoration of civil authority, and that civil and military officers acted in concert in all matters short of the actual command of troops, we think that so long as nothing was done in excess of the immediate necessities of the emergency, the situation was not badly handled. Until the 13th we can find no serious ground of criticism as regards things actually done. To bring out the Europeans, to take possession of the Kotwali and to hold its approaches, to march a column round and through the city and to make some arrests were unexceptionable acts. Until we come to the events of the 13th, we understand that criticism of what was actually done is rather by suggestion that the excitement of the 10th had burnt itself out and that more should have been done to resume control of the city than the authorities thought it wise to attempt or possible to do.

One matter of complaint as regards this period is that the supply of water and electric light was cut off from the city, apparently at the instigation of the military authorities. A rumour was spreading that the water had been poisoned. Hydrants had been smashed and water was pouring out. In the civil lines the authorities and their friends did not use the water for some time in case the rumour should be based on fact. The electric light was cut off apparently for a variety of reasons. We think that this was not uncalled for as a mere matter of safety : darkness on the streets would tend to prevent people thronging there at night : if it was intended that this inconvenience might help to bring the city to a more sober frame of mind and remind people that rioting might bring inconveniences to citizens in general, we are not prepared to condemn it though its utility for this purpose may be doubtful.

13th April.

It is quite true that in the course of the 12th the position was hardening into *de facto* martial law. The Commissioner had left on the night of the 11th and General Dyer had arrived somewhat later on that night. On the 13th formal martial law was expected ; the telegram sanctioning it was despatched at midnight : the trouble had been spreading and Amritsar was known not to be the only area involved. The proclamation of the 13th imposed permits for travel and a curfew at 8 P.M. : it prohibited gatherings or processions. These were not unreasonable orders in themselves ; they were issued with the congnisance of the Deputy Commissioner ; had they been wisely enforced little would have been heard of any special grievance over this single day. It does remain, however, that there was this one day of active martial law before the Government of India had moved under Regulation X of 1804. The incident of the Jallianwala Bagh we have already dealt with upon its merits and as the necessity for martial law will be dealt with in due course, we do not feel it incumbent upon us to enter into any special or theoretical discussion as to the martial law *de facto* which anticipated Ordinance I of 1919.

47. In judging these matters the state of the city between the 10th and the end of the 12th April must be very carefully considered. A Criminal Investigation Department Inspector was in the city in the morning of the 10th and after witnessing the crowd at Hall Bridge and at the Telegraph Office went home in fear of being recognised and killed. At 5 P.M. he came out of his house and witnessed the loot of the National Bank godowns. Crowds were going about with *lathis* and shouting against Government. Municipal pipes and electric wires were smashed. A Sikh and a Muhammadan at the Khair-ud-Din mosque were inciting the crowd saying, "Murder the Europeans—this is the time that we should rise." The Inspector told his Deputy Superintendent what he had seen and the Commissioner on the evening of the 10th had a verbal account from the Deputy Superintendent, before the arrival of troops from Lahore.

State of the city.

As regards the 11th we have evidence as to the excitement of the large crowds at the mosque before the funerals started. Already on the 10th and again on this day the rumour as to Lahore Fort being taken was going round. A meeting was held and volunteers appointed to go round the bazaar, as watchmen, with long bamboo sticks of which 3 or 4 hundred were purchased for the purpose.

A witness states that a very large crowd assembled before Dr. Bashir's house and some 500 were allowed inside to a meeting at which it was proposed that if the Government would agree to take no steps in respect of the events of the 10th, the *hartal* would be brought to an end next morning. This condition being seen to be impossible nothing was done at the meeting. It would appear also that on the 11th and 12th there were renewed manifestations of Hindu-Muhammadan unity, *e.g.*, drinking out of the same cups, eating sweetmeats together. On the 12th at 4 P.M. there was a meeting at Top Katika, apparently a protest meeting about the deportations. *Hartal* continued, though not always voluntarily as the crowds insisted on it. On the 12th exciting and seditious posters were to be read on the electric posts.

In addition to this we have General Dyer's account of what happened on his march through the city on the 12th and 13th. The civil authorities had people from the city coming to see them on the 11th though not very many. The attitude of the pleaders as representing the rioters in connection with the funerals has already been noticed. In these circumstances the appreciation of the case which was entertained at the time by the authorities, military and civil alike, was that the city was out of control and in revolt against them, that any Europeans going into it unless protected by a strong force would go to almost certain death and that a "state of war" was subsisting. It is true that troops in force were not attacked and that on the 11th and 12th arrests were made with the aid of the military. But the best evidence of the position immediately after the 10th is the evidence of what happened on the 10th and there is certainly little to show that any revulsion of feeling had taken place. The Deputy Commissioner tells us that in the city it was freely said that

it might be the *Raj** of the *Sarkar*† outside but inside it was *Hindu-musalman ki hakumat*.‡

Action of the authorities on 11th and 12th.

48. Appreciating the position as best we can upon the evidence, we think the authorities on the spot were almost certainly wise on the 11th and 12th in not endeavouring to take any speedier or more resolute action than they did to reduce the city to order. We find it difficult to suggest any actual measures on their part which were at once practicable, serviceable and likely to end the state of chaos quickly. On the other hand, when carefully considered, it seems impossible to suppose that the state of things existing on the 10th and the succeeding days could happen or continue without evoking at some stage a state of *de facto* martial law. The Kotwali was held in force and there were police posts round the walls, but it is certain that for these days the King-Emperor's writ did not run in the city : legal process might have been enforced by arms but not otherwise ; courts could not and did not sit.

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* Rule.
† Government.
‡ Hindu-Muhammadan rule.

CHAPTER IV.

Lahore District.

The disturbances in the district of Lahore occurred first in the town of Lahore itself and then in the Kasur sub-division. Trouble in the capital had been brewing for some time before it eventuated in serious disorder on the evening of the 10th April. The disorders in Kasur occurred on the 12th, no marked premonitory signs having preceded it in that locality.

(1) Lahore.

1. In the capital itself an active opposition to the Rowlatt Bills had started very early after their publication in the *Gazette of India* on the 18th January 1919. The Bills were referred to a Select Committee on the 10th February but on the 4th February a meeting in the Bradlaugh Hall had already been held under the auspices of the local "Indian Association" of which the Secretary was Mr. Duni Chand. On the 1st March Mr. Gandhi had issued to the press the terms of the *Satyagraha* vow and inaugurated his campaign of "civil disobedience to laws." On the 9th March another protest meeting was held at the Bradlaugh Hall and addressed by Dr. Kitchlew of Amritsar and other persons including Pandit Rambhaj Dutt of Lahore. It was presided over by the Hon'ble Mr. Fazl-i-Husain who gave evidence before us to the effect that the passive resistance principle did not find favour with the great majority of the educated classes in Lahore and that no one in Lahore, to the best of his belief, ever took the *Satyagraha* vow. We think that these statements represent the facts with substantial accuracy but by the 9th of March, when neither Bill had yet been passed, the "civil disobedience" notion was new; people were coquetting with it and holding it *in terrorem* over the head of the authorities, though not resolved to adopt or censure it. The resolution passed at this meeting was drawn, as Mr. Fazl-i-Husain tells us, "with the object of not taking Gandhi's vow of passive resistance." Its terms were "that in the event of these Bills being passed into law in spite of the unanimous opposition afforded by communities of all shades of opinion, the Indian public will be justified in having resort to such forms of passive resistance as they can eventually decide upon." One excited speaker was stopped by the chairman as he was declaring that they should adopt such means that all Lahore should be converted into a jail. Dr. Kitchlew declared that he would follow Mr. Gandhi: others like the chairman were more cautious or more critical. The chairman asked how Indians were to oppose this law, adding that

Rowlatt Bill Agitation.

the matter was not an easy one, that it was quite easy for one to say that he would not submit to it, but it should be decided after mature thought.

"Hartal" proposed.

2. On the 18th of March Rowlatt Bill No. 2 was passed and this was followed on the 24th by Mr. Gandhi's call for a *hartal*, a twenty-four hours' fast, cessation from work and the holding of public meetings. This proposal was certainly taken up in Lahore with enthusiasm: whether the educated classes had their doubts or not after the 30th March had shown at Delhi the dangers of this course, they were both unable and disinclined to do anything to prevent Mr. Gandhi's programme being carried out. Before the end of March a notice was published over the signature of some prominent residents appointing the 30th March for a meeting, *hartal* and fast: this was later deferred till Sunday, 6th April.

Precautions.

3. There was thus no *hartal* at Lahore on the 30th March 1919. In view, however, of what had occurred at Delhi on that date, the Superintendent of Police on the 2nd April issued a notice under the Police Act requiring persons convening or collecting an assembly or directing or promoting a procession in the public streets to apply for a license. This order was to be in force for a month. The Deputy Commissioner on the 4th April called together the signatories to the appeal for a *haratal* and warned them of the consequences of disorder. They offered to be responsible for order if the police were withdrawn. The authorities naturally refused to assent to this proposal, but promised that no force would be employed to make shopkeepers open their shops if they were unwilling to do so.

"Hartal" on 6th April.

4. The *hartal* of the 6th was complete. Processions were formed and although this were contrary to the notice of 2nd April, they were not interfered with by the police as they did not appear to be bent on violence. On two occasions, once in the Mall and once in Anarkali, large mobs as they were proceeding out of the city away from the direction of the Bradlaugh Hall and towards the civil station were stopped by senior police officers and magistrates accompanied by police and with troops behind them in reserve. Both these mobs were induced to go back towards the Bradlaugh Hall and not further to risk collisions with authority by Dr. Gokal Chand Naurang, one of the signatories to the *hartal* notice. He also cleared the Gol Bagh of loafers, and to his influence and assistance the fact that nothing untoward occurred on the conclusion of the large meeting at the Bradlaugh Hall must, in large measure, be attributed. Thus although no collision between the people and the police took place, there were, from the point of view of the authorities, very disquieting elements in the day's occurrences and the police had a strenuous time. For the most part shopkeepers closed their shops voluntarily but there were certain cases where coercion was employed against people who wished to keep their shops open and against people riding in cars. The crowds marching through the streets indulged in cries such as "*Hai Hai George Mar Gya*" (King George is dead). They demonstrated against Indian gentlemen who were believed to be friendly to the Government. At the meeting

in the Bradlaugh Hall European police officers who attended were loudly hooted and hissed. Some of the speeches were excitable and some praise of passive resistance was uttered ; a poem was recited referring to the Rowlatt Act by way of poetic license in terms of extravagant untruth, but on the whole, so far as we can judge from the Criminal Investigation Department report, the meeting was kept within the bounds of a political agitation by speakers representing different degress of fairness and folly, sense and extravagance. It may be noted that resolutions were passed condemning the authorities at Delhi for having " fired upon innocent persons without any justification " and viewing " with alarm and disapproval " the orders passed by the Punjab Government against Drs. Kitchlew, Satyapal and others.

Ram Naumi.

5. Business was resumed in the city on the 7th and 8th April. On the 9th April the annual *Ram Naumi* procession was held. This is essentially a Hindu religious festival, but on this day at Lahore as at Amritsar it was made the occasion of public fraternisation between Hindus and Muhammadans. The prevailing cries were political rather than religious.

10th April. Causes of excitement.

6. On the 10th the political atmosphere, already highly charged was made acutely worse by the arrival in the afternoon of two pieces of news. The Government of India in concert with the local authorities of Delhi, Bombay and the Punjab had taken steps under the Defence of India Act to prohibit Mr. Gandhi from going to Delhi or entering the Punjab. On the 9th, when in the train travelling to Delhi from Bombay he had been served with orders to this effect and, on refusing to return, had been arrested at Palwal and accompanied back to Bombay, which Presidency he was ordered not to leave for the present. News of this arrest reached Lahore about 3-30 P.M. on the 10th and soon afterwards came the news of the horrible outbreak at Amritsar which had followed upon the deportations of Drs. Kitchlew and Satyapal. The civil authorities in Lahore quickly made their dispositions and arranged for troops being sent from the cantonments to aid the police if necessary to maintain order. Pickets were stationed at the Telegraph Office, the Gymkhana Club where there were a large number of European ladies, at Government House and the European hotels. A main object of the authorities was to prevent crowds gathering in the civil lines where they might scatter thereby increasing the difficulty of restraining them from acts of violence if they became disorderly. About 6 P.M. there was a conference of the chief officials at Government House with the Lieutenant-Governor which was interrupted by news of trouble having broken out.

Firing on the Mall.

7. Crowds had begun to assemble in the city, shops were shutting and shouts of " *Mahatma Gandi ki jai* " were being made. Students were making themselves prominent. A large number of people emerged from the Lohari Gate with a black flag as a sign of mourning and proceeded along Anarkali Bazar to the Mall. This crowd was almost certainly bent upon making

its way to the Lieutenant-Governor at Government House. The Revd. Mr. Lucas, Principal of the Forman Christian College, saw this crowd before it actually came into collision with the police. He noticed a good many students in it: he saw it was an unruly and highly excited crowd and he sent for one of his students and order him to return to his hostel as he anticipated that the crowd might have to be fired on. When the crowd reached the Mall, the first place they made for was the Government Telegraph Office. The officer in charge of the detachment of troops stationed there made his men fix bayonets and advance. On seeing the soldiers the mob hesitated for a minute and then turned down the Mall. Two Indian Police officers with a handful of men intercepted the crowds near the Lawrence Statue and endeavoured to get them to retire but they were unsuccessful. The mob advanced in small rushes and the police were driven back for some distance towards the O'Dwyer Soldiers' Club. Here Mr. Fyson, the District Magistrate, Mr. Cocks, Deputy Inspector-General of Police, Criminal Investigation Department, and, a little later, Mr. Clarke, Deputy Superintendent of Police, arrived on the spot. Mr. Fyson ordered the mob to retire but they refused and pressed round him. One of the mob caught hold of him. A Deputy Superintendent of Police speaks to two men having caught hold of muskets in the hands of the constables. Attempts were made by the mob to get round the police by going through the compound of the O'Dwyer Soldiers' Club. The mob were getting completely out of hand and, as he had no other means of stopping their progress, Mr. Fyson ordered the police to fire. From a dozen to twenty shots were fired with the result that one man was killed and about seven wounded. On this firing taking place the mob began to break and orders were at once given to cease fire. Mr. Fyson being in England could not be examined by us, but the following passage from the evidence of Mr. Cocks who was with him, describes the occurrence :—

Q. What occurred when you came up to the mob ?

A. Until we got very close to them we did not know that there were any police there. They were mixed up with the crowd ; but when we actually got in contact with the mob there were about a dozen uniformed men with muskets who were doing their best to push the crowd away. They were quite unsuccessful.. Then Mr. Fyson and I went and harangued them and we were hustled about a great deal. There was a good deal of abuse given. There were certain struggles going on between the constables and members of the mob and Mr. Fyson said "you must fire." But the difficulty was to collect the men—to get them back from the crowd and also to make one's orders heard. The noise was tremendous. It was impossible to pass orders. Eventually we pulled a few men from the crowd and got them to load and fire.

Q. At the time this order was given, was there an imminent danger of the police being entirely overpowered ?

A. Quite, they were getting round us from the compound of the O'Dwyer Club.

Q. Did you apprehend that serious consequences might result ?

A. Yes.

Apart from being in contravention of the order issued by the Superintendent of Police on 2nd April, there can, we think, be no doubt at all that this mob, which was a large one extending for fifty yards behind a front of about 20 yards wide, was certain to cause a disturbance of the public peace and likely to cause very grave disorder. It was one which could not possibly be allowed to proceed into the civil station or towards Government House. Actual and direct evidence of any specific criminal or violent intention beyond that it was minded by show of criminal force to overawe authority is not before us. What is abundantly proved in our opinion is that it was essential for the public security that it should be dispersed, that it was repeatedly ordered to disperse, that it showed by its conduct a firm determination to proceed, and that nothing short of firing would have been of any use. We approve Mr. Fyson's action.

Firing near Lohari Gate.

8. Soon after the police had fired a party of cavalry arrived and the police and military proceeded to clear the Mall and approaches to the Civil station. The crowds had to be driven back and in the course of this operation Mr. Clarke, Deputy Superintendent of Police, was thrown down by one rioter who fell on top of him. This man was hit on the shoulder by a sub-inspector with his revolver and ran off. A constable who raised his musket to fire was stopped from doing so by Mr. Clarke. Though driven back the mob did not disperse but gathered again in large numbers near the Lohari Gate. Many additional people emerged from this gate and added their numbers to the mass of people already assembled. The efforts of Mr. Clarke and a small body of police to disperse the mob were unavailing. He was joined by Mr. Broadway, the Superintendent of Police, with some cavalry—followed shortly by 25 armed police. The cavalry got the crowd pressed back along Anarkali to within 200 yards of the Circular Road but at this point the crowds had become very dense. Mr. Broadway estimates that 15 to 20,000 people sere in front of him. Mr. Fyson was sent for to come and bring reinforcements. For three quarters of an hour Mr. Broadway and his men were stoned with bricks and mud. Mr. Broadway was hit five or six times : on three occasions badly : some sort of crackers were also used by the mob after darkness had come on. From the roofs of some low sheds or houses, near where bricks and rubbish were lying, the wilder and more active rioters were specially harassing the police with missiles. Two or three rounds of buckshot were fired into this quarter on Mr. Broadway's order before Mr. Fyson arrived—quite justifiably in our opinion.

Dispersed by firing.

9. The only effect of this firing was to check the attack from that particular quarter. The rest of the crowd remained turbulent and defiant and continued their attack upon the police force. Mr. Rambhaj Dutt, a local leader, was doing all he could to get the crowd away but they would not listen to him and stoning continued. After three-quarters of an hour of this

when Mr. Fyson arrived he too pushed forward to the mob but they continued to stone. He warned both the mob and Mr. Rambhaj Dutt that there would be firing in a few moments. The crowd became more violent and pressed forward. Many defiantly sat down. Finally an order to fire was given by Mr. Fyson and about half a dozen rounds of buck-shot were fired into the crowd which then dispersed. About 18 men were wounded as the result of this firing. Of these, 3 men died later. The justification for this firing is obvious. It is said that Mr. Fyson might have given more time for Mr. Rambhaj Dutt's efforts; this form of criticism is always possible, but it seems particularly inapplicable on this occasion.

State of the city.

10. On the night of 10th April and for some days following, the city of Lahore was in a dangerously disturbed condition. Military measures were taken on that night to protect the civil station and its surroundings. No European could safely enter the city from which the police were temporarily withdrawn. For about two days the city was controlled by the mob. The Superintendent of Police and Deputy Commissioner took up their quarters in the Telegraph Office. Police posts outside the city were occupied, but the internal arrangements were abandoned as any small force of police in the city would have encountered opposition and this would have involved more loss of life. All sorts of rumours were brought to the authorities who had to appreciate the position in the city as best they could. They decided on the morning of the 11th to wait until next day and then march troops through the city.

11th April. Badshahi Mosque meeting. The Danda Fauj.

11. On the morning of the 11th April, all the shops were closed and a huge crowd of Hindus and Muhammadans (said to be about 25,000) collected in the Badshahi Mosque. This crowd was addressed by Rambhaj Dutt and others. inside the gate of the mosque a banner was hung bearing the inscription "The king who practises tyranny cuts his own roots underneath." Inflammatory speeches were delivered in the course of which allegations were made that the police had fired on the crowd the preceding day after they had retreated and that this action was a tyrannical action. People who wanted to know whether *hartal* should be continued or not were told that a committee would decide and later on this committee was nominated. Towards the end of the meeting, an *ex*-sepoy shouted to the people a false story that the Indian regiments had mutinied in Lahore Cantonment and were marching on Amritsar and Lahore. He added that about 200 or 250 British soldiers had been killed and that he himself had killed six. His announcement was received with great enthusiasm by the people who garlanded him and carried him in triumph to the pulpit of the mosque. A subscription was opened and at least one large sum promised to establish *langar khanas* during the *hartal*, *i.e.*, free food shops. At the conclusion of the meeting, the mob headed by hooligans carrying sticks marched through the city shouting. On the way they destroyed pictures of the King-Emperor and the Queen-Empress,

shouting that King George is dead. The band of hooligans referred to was known as the *Danda Fauj*.* They went about the city in a band on the 11th and 12th, their leader delivering seditious lectures in the bazaar saying that King George was not their king, that the Amir of Afghanistan and the Emperor of Germany were their king. They carried sticks after the manner of troops with rifles and recruited supporters from the mobs. Apart from these crude manifestations of sedition, which took place after the meeting, the meeting itself was a very extraordinary one to be held in a mosque. From a Muhammadan point of view, it was a violation of every religious instinct. It represents the highest pitch of the Hindu-Muhammadan unity which at this time was spreading rapidly by dint of hatred of the Government. Some of the persons who addressed the meeting are understood to claim that they had previously been given permission by the Deputy Commissioner to go there for the purpose of trying to restrain the mobs. This question of fact we have not sufficient evidence to decide, but the proceedings at this meeting remain quite as extraordinary on any view.

The Fort.

12. Outside the Fort a large and noisy crowd collected also in the morning of the 11th and attempted to pull down the railings. They hurled out abuse at the British soldiers shouting "Let us kill the white pigs." They spat at the soldiers as a sign of contempt. A young officer who left the fort on a motor-bicycle had brick-bats thrown after him. As Colonel North explained, the situation in the Fort was serious as the force which originally consisted of only about 120 men was entirely isolated from the rest of the town.

Railway Workers.

13. During the day persistent attempts were made to bring about a strike among the workers at the railway workshops. An attack was made by a small crowd upon the Time Office and the Locomotive Superintendent was stoned. The crowd was dispersed by a force of police with fixed bayonets. Only about 30 per cent. of the railway employees worked that day. Repeated and determined efforts were made during this and the following days of disorder to prevent railway employees getting to work.

12th April. Assault on C. I. D. Inspector.

14. On the 12th April another meeting was held at the Badshahi Mosque. An Inspector of the Criminal Investigation Department who was observed by the crowd was attacked by them and severely beaten with sticks.

Troops in the city.

15. The authorities having resolved to regain control over the city a mixed column of some 800 police and military under Colonel Frank Johnson entered the city on the morning of the 12th by the Delhi gate. This force was supported by two aeroplanes in case the troops on the march should be bombed or fired upon from the houses. Notice was given of the consequences of any such action and time allowed for the news to spread.

* Bludgeon army.

In fact the aeroplanes were not called upon to take any action whatever. The crowds appeared to be sullen and bad-tempered and strong forces of Indian troops and police were posted in the city: patrols were afterwards sent out in armed parties of not less than 20 as a result of the appearance of the city on this occasion. When the column got to the Hira Mandi, there was a large crowd moving to and from the Badshahi Mosque. Some of them were armed with *lathis*. This crowd took no notice of any warnings to disperse and eventually a Muhammadan magistrate was sent to clear the mosque. This he did and crowds came out of it. Cavalry tried to disperse them, but they refused to go and attempted to stampede the horses. Eventually a dense mass collected at the Hira Mandi where there is a considerable open space. The police lined up in front of the cavalry. The Deputy Commissioner, Mr. Fyson, took a few troops and pushed forward into the crowd warning them to disperse and that if not, they would be fired on. The crowd were closing in, between Mr. Fyson and the main body of police and he was got back with difficulty. Stone-throwing began and the police had to fire. Mr. Fyson sanctioned this firing: only eight rounds were fired in all and the crowd began to break. One man was killed and some 28 wounded. All the shots on this occasion as on the 10th April were fired by the police; no shots were fired by the military. The police are usually armed with buckshot but some rounds of ball cartridge had been given out—one round of ball being fired on the Upper Mall on the 10th April and 2 rounds at Hira Mandi on 12th. We think that it was essential on this day to disperse this crowd and that it would have been the end of all chance to restore order in Lahore if the police and troops had left without dispersing it. The pickets already posted in the city, especially the police pickets, would have been cut off by it: it was dense, hostile and armed with *lathis*: when stone-throwing commenced only one result was possible. Colonel Johnson had rejoined the head of his column at the time and had given the order to advance, but this order not having reached one of the rear units round a corner, he returned to the rear. In the meantime the firing had taken place. The fact that the police, armed with buckshot, were made to take the brunt of the collsion with the crowd instead of the troops with service ammunition, the small number of shots fired by the police and the warnings given to the crowd, show, in our opinion, that the greatest care was taken and the least possible degree of force was used.

Firing at Hira Mandi.

16. Several posters of a seditious and inflammatory character which had been exhibited in different parts of the city were secured by the police. Some of these were issued on earlier dates than the 10th. For example, on 6th April a poster was removed from the Bradlaugh Hall in which it was said "to practise tyranny and to give it the name of love, what a fine trick is this of the civilisation of the West." Of the posters appearing on the 12th, we may refer to one containing such passages as these:—

Seditious posters.

"We are the Indian nation whose bravery and honour have been acknowledged by all the kings of the world. The English are the worst

lot and are like monkeys whose deceit and cunning are obvious to all, high and low. Have these monkeys forgotten their original conditions ? Now these faithless people have forgotten the loyalty of Indians, are bent upon exercising limitless tyranny. O brethren, gird up your loins and fight. Kill and be killed. Do not lose courage and try your utmost to turn those mean monkeys from your holy country."

The author or authors of the above vernacular notices have not been discovered. The *Danda Fauj*, a body to which we have referred, issued a poster of their own, headed *Danda Akhbar*,* dealing with three different events. The first is the arrest of Mr. Gandhi. The second event is referred to in these terms :—

" When the news (*i.e.*, Mr. Gandhi's arrest) reached Amritsar, the *Danda Fauj* of the brave Sikhs set fire to the Bank, the Railway Station and Electric Power House. They cut the telegraph wires and removed the railway line. The *Danda Fauj* of Amritsar bravely killed a number of European monkeys and their Sikh regiments have revolted and deserted. O Hindu, Muhammadan and Sikh brethren, enlist at once in the *Danda* army and fight with bravery against the English monkeys. God will grant you victory.....Conquer the English monkeys with bravery. God will grant victory. Leave off dealings with the Englishmen, close offices and workshops. Fight on. This is the command of *Mahatma* Gandhi"

In what is described as the third event occur the words :—

" O Hindu, Muhammadan and Sikh brethren raise the cry of *Allah Akbar* and kill the Kaffirs. Get ready soon for the war and God will grant victory to India very soon. Fight with enthusiasm and enlist yourselves in the *Danda* army."

We were informed by the representatives of the Criminal Investigation Department that such posters as we have referred to were widely read. Their contents, circulated, as they would be, by those who could read, among the ignorant masses of the people, inflamed the minds of the people more and more.

13th April. Measures.

17. Immediately after the 10th precensorship was imposed upon all local newspapers. On the 13th April, the district of Lahore was proclaimed under the Seditious Meetings Act and notice was given forbidding all assemblies of more than 10 people. Liquor shops were ordered to close.

Wagah Station attacked.

18. On the same date the station of Wagah, about 14 miles from Lahore, was burnt and sacked, telegraph wires were cut, a length of line was torn up and an armoured train in consequence derailed, without, however, occasioning any loss of life. This appears to have been the result of incitement at a fair held in a village called Miniala ; Lahore itself is not responsible for the outrage.

* Bludgeon newspaper.

19. On 14th April, the Local Government of the Punjab, acting under the Defence of India Act, deported Pandit Rambhaj Dutt, Lala Har Kishan Lal and Lala Duni Chand, who were leaders and had been actively associated with the promulgation of a *hartal* in connection with the movement against the Rowlatt legislation.

14th April. Deportations.

20. The *hartal* started on the morning of the 11th April, did not terminate until the 18th April, when it was ended by direct action of the military under the operation of martial law, which was proclaimed at Lahore on the 15th. The *langars* also which had been established to facilitate the continuation of the *hartal* by providing food for those who otherwise might be unable to get it while *hartal* continued, were eventually suppressed under martial law. The efforts to induce people to abandon *hartal* commenced immediately after the 10th. These were made not only by the Deputy Commissioner but also by private individuals, as well as by some gentlemen engaged in public matters but not associated with the original organisers of the *hartal*. The efforts were well meant but came to nothing. On the 11th at the Telegraph Office and on the 12th and 13th in the Town Hall, the Deputy Commissioner had a meeting with various persons and informed them that if the shops continued to be kept closed, martial law would have to be brought in. A proposal was made and carried to the Chief Secretary—that the military should be removed from the city, arrested persons released on bail and that the bodies of the men killed by the firing of the police should be given up. We understand that these conditions, of which the first was impossible, particularly as the Kasur outrages had broken out on the 12th, were thought to be necessary to induce shopkeepers to listen to the persuasion of those who had originally organised *hartal*. This may explain why they were put forward, and, if so, show the determined state of mind in the city. The Government refused to make any bargain on these lines, though it may be noted that in Lahore persons arrested were generally released on bail after martial law had commenced, pending investigation of the charges against them. The bodies of two men killed on the 10th were not returned but the burial was carried out by the authorities in the jail though relatives were allowed to attend. One man was not identified. The reason was that any other course was thought likely to lead to a demonstration and probably would have given a new occasion for *hartal*.

The "hartal" ended.

(2) Kasur.

1. Kasur is a town of 25,000 inhabitants situated in Lahore district. It is about 37 miles from Lahore itself. No *hartal* was held there either on 30th March or 6th April. This apathy of the town to the general scheme of protest against the Rowlatt legislation was resented in other places and people of Kasur were taunted for not joining in the movement. Rumour was rife in the bazaar that Kasur traders

11th April. "Hartal" commenced.

would be boycotted by other places. There is some evidence, though not conclusive, that shopkeepers of Amritsar and Lahore were commencing to boycott Kasur by refusing goods and dishonouring *hundis*.* It is said, but not proved before us, that emissaries came from Amritsar or Lahore to arrange for the holding of a *hartal*. However this may be, a Kasur shopkeeper, Nadir Ali Shah, at the head of a large crowd, in which most of the local school-boys and one school-master had joined, went about closing shops in the afternoon of the 11th of April. Many shops were closed unwillingly and in view of the appearance of the crowd. In the evening a meeting was held which some pleaders were induced to address: these speeches did not contain any incitement to violence and cannot be called inflammatory. After the pleaders had left, Nadir Ali Shah addressed the meeting in a more violent strain. The news of Mr. Gandhi's arrest at Palwal reached Kasur some time on this day: probably also the news of the outbreak at Amritsar. Different views are entertained by different officials as to the comparative importance of these two disturbing factors; both were certainly in operation by the next day.

12th April. Station attacked and destruction done.

2. Next morning, 12th April, the *hartal* continued. Before 10 o'clock the crowd under the leadership of Nadir Ali Shah took its way to the railway station carrying a *charpoy*† on which was a black flag by way of symbolising the funeral of Liberty, a notion that had been popularised by an Amritsar newspaper called the *Waqt* conducted by one Durga Das. It indulged in general cries of lamentation and beating of breasts and gradually worked itself up into a state of frenzy in the manner of a Muharram procession. It did considerable damage by breaking doors and throwing stones at windows. It was directly incited to further acts of destruction by Nadir Ali Shah (since executed for these crimes) and others who were leading it. On this day it seems to us proved that a dozen or so of persons who did not belong to Kasur and who have not been traced or caught were noticed taking a prominent part. The suggestion made to us was that they came from Amritsar but in the circumstances we cannot affirm this. Cries were raised against the Rowlatt Act and in favour of Gandhi and others. Nadir Ali Shah made a speech telling the crowd that this was their last chance and they must remove the knife which was at their throats. This incitement led to wailing and moaning and extensive acts of destruction. The instruments at the Telegraph Office were put out of action, furniture was set on fire, the booking office ransacked and disordered, an oil shed was burnt, the telegraph wires were cut with nippers and all the goods inside the station buildings were looted or destroyed. A sub-inspector of the Railway Police and some men are stationed at Kasur, but there seems to have been only one constable at the station at this time. So far as we can discover neither he nor any of the railway staff did anything effective to resist the mob. The ostensible reason or excuse given for

* Notes of hand.
† Indian bedstead.

inducing the mob or some members of it go to the station was to exhibit the "liberty funeral" to passengers by the trains. The mob, however, was well armed with *lathis* and other rough substitutes.

Attack on Europeans.

3. Three trains were drawn up at the distant signals, from Lahore, Patti and Ferozepore. The train from Ferozepore was nearest to the station, at about 400 yards off. In it a number of Europeans were travelling. Captain Limby of the Royal Engineers and Lieutenant Munro were together in a first class compartment. Mr. and Mrs. Sherbourne and their three children were in a second class compartment in which also was an Inspector of Railway Accounts, Mr. Khair Din. Two non-commissioned officers, Corporal Battson and Lance-Corporal Gringham of the Queen's and two warrant officers, Master-Gunner Mallet and Conductor Selby, were also in the train.

The mob from the station started running towards the train from which the passengers began to alight. Among the first of the Europeans to get out of the train were Captain Limby and Lieutenant Munro who were in uniform but unarmed. The engine-driver stayed on his engine: the guard who had alighted could not be induced to move the train and did nothing. As soon as Lieutenant Munro was seen by the crowd he was greeted with shouts of "Here is an officer, kill him, kill him." With great difficulty he and Captain Limby managed to fight their way along the side of the train and finally to get clear of the crowd and make for refuge in a Jat Sikh village. They were hit with *lathis* and stones: several times they had to stop and fight attacking rioters: and in the course of their fight they received severe injuries from the crowd. It is hardly doubtful that if they had been overpowered their lives would have been taken.

Attack on the hut.

4. Meantime Mr. Sherbourne with the assistance of an Indian gentleman, Mr. Khair Din, and Corporal Battson and Lance-Corporal Gringham of the Queen's succeeded in getting his wife and children into the comparative safety of a gate-keeper's hut situated near the railway embankment. The mob made repeated attempts to enter the hut with the obvious intention of dragging out and killing the European inmates. Corporal Battson and Lance-Corporal Gringham defended the hut as best they could, but they were struck and knocked down by the crowd. In some extraordinary way they managed to escape with their lives. Later in the day Mr. Sherbourne on his way to inform the military of what had occurred met Lance-Corporal Gringham in an exhausted condition having just fallen against the bank at the road-side. His head had been cut in several places and he was bleeding very badly.

In the course of the struggle round the hut two men forced an entrance. One of them knocked Mr. Sherbourne's hat off and attempted to drag him out in order, as he thought, to hand him over to the crowd to be murdered. Meantime Mr. Khair Din pleaded with the rioters not to molest the Sherbournes. About this time Mr. Ghulam Mohi-ud-dīn, a Kasur pleader, arrived. He succeeded in quietening

the crowd who went back to the station. The Sherbournes were removed to Kot Halim Khan, a small village situated a litte further down the line towards Ferozepore. From this place they were taken by the Deputy Superintendent of Police, Sardar Ahmad Khan, to his own bungalow.

The warrant officers killed.

5. The warrant officers met a hard fate. They remained in the train when the other passengers left. They were armed with revolvers on which they relied for protection. On the train being driven into the station and arriving at the platform, they got out of their compartment and stood at the door. The crowd which had followed the train to the station began to stone them from a distance. They unfortunately discharged their revolvers when the crowd was at too great a distance to be effectively fired upon. They seem only to have wounded one man, in the foot, and the crowd then closed in upon them. They ran down the platform vainly seeking the assistance of some Indian railway officials. They were hemmed in near the waiting shed and beaten to death with sticks. The Deputy Superintendent of Police, who had been sent for, arrived with a force of men and some officials only to find that one of these unfortunate officers was already dead and that the other was dying.

In the evidence given before us an attempt was made to suggest that the actions of the crowd were all due to the firing by the warrant officers. This is wholly untrue. Long before this incident, the crowd had gone out from the station and had threatened and attempted to murder Captain Limby, Lieutenant Munro, Mr. Sherbourne and all Europeans. The wires which operate the distant signals had been cut to hold up the train; the station had been sacked; communications wrecked; a mob howling cries of murder had gone out armed to attack the trains. The warrant officers were well justified in firing; for the sake of effectiveness, but for no other reason, they would have been wiser to have waited longer before doing so, though it is difficult to see how in any case they could have escaped their fate.

Arrival of the police.

6. After these events had occurred, the first officer to arrive at the railway station appears to have been Lala Khan Chand, the *tahsildar*. The porters were putting out the fire which had been started by the mob and he was told that the mob had gone to pull down the railway bridge. He brought the Deputy Superintendent of Police and on the way back some 50 men were seen pulling down the railway wire. Some constable joined the officers. When they got to the station, the dying warrant officer was put in charge of Mr. Tara Singh Narula, a pleader, who informed us that some ten or twelve men with sticks wanted to kill the half dead man but were dissuaded by him. (The warrant officer died in the afternoon.) The Deputy Superintendent of Police and the *tahsildar* were called to the rescue of Mrs. Sherbourne at the gateman's hut; they took them to Kot Halim Khan and afterwards to the Mission House: then with some of the mission ladies they were taken to the Deputy Superintendent of Police's own house. Meanwhile as wires were cut

and trains not running Mr. Sherbourne was despatched on horseback with an Indian head-dress and a revolver to summon military aid from Ferozepore.

Government buildings attacked.

7. By this time the mob had embarked upon a more extensive scheme of destruction. The Wheat Mandi post office was looted and the main post office set on fire. Seeing this the *tahsildar*, Mr. Tara Singh Narula, and two constables endeavoured to overtake and dissuade the crowd but without result. The crowd went first to the police station where there were six men armed with muskets, some of them on the roof and some at the door. The mob hesitated about attacking this place, the police were dissuading them, and they left for the *munsif's** court and *tahsil*† which are close together. It does not seem to have occurred to the subordinate officer in charge of the police station that he should have attacked and dispersed the mob. The *tahsildar* and others followed but could do no more than momentarily check the mob from time to time. It increased in size and was now bent on looting the *tahsil*. When it arrived there it set fire to a petition writer's hut and to the *munsif's* court and attempted to set on fire the *tahsil* gate. Sub-Inspector Bawa Kharak Singh with some armed men was holding the *tahsil*. He had got some piles of bricks together for use against rioters, apparently in preference to firing on them. The mob was shouting that the English *Raj* had come to an end, a significant fact for which we have the testimony of two eye-witnesses. It was also shouting "*jais*" for Mr. Gandhi and Drs. Kitchlew and Satyapal of Amritsar. The *tahsildar* from outside the building and the sub-inspector from inside were doing what they could to get the mob to give up its design. In reply it was asking the sub-inspector to join them as the British *Raj* had ended. The sub-inspector when the gate was threatened had recourse to his bricks and the crowd merely retaliated with others. He fired single shots into the air some three or four times and this foolish action only infuriated the mob. At this stage, Mr. Mitter, the Sub-Divisional Officer, and the Deputy Superintendent of Police arrived. With Mr. Mitter's sanction the latter official gave orders to fire on the crowd. Fifty-seven shots were fired in all: some ten or a dozen muskets taking part: four men died then and later as a result and others were wounded. The size of the crowd is estimated at fifteen hundred to two thousand: it was composed of low class people, sweepers, skin-dyers, etc., and not of the more respectable classes. The Deputy Superintendent of Police noticed in it some strangers to Kasur. We uphold the decision to fire upon this mob and think that it should have been fired upon before the Deputy Superintendent of Police arrived. As it was the crowd fled pursued by constables who effected some arrests. (Unfortunately no other arrests were made until the 16th when under martial law large numbers of the people were paraded for identification.)

Firing at the "Tahsil"

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* Minor Civil Court Judge.

† Revenue office.

8. In the afternoon of the 12th troops arrived from Ferozepore, thanks to the promptness and initiative of an Indian gentleman on the Ferozepore train who had gone in a *tonga** to summon them. Further trouble was thus averted. On the 15th a moveable column visited Kasur from Ferozepore and on the 16th martial law was put in force.

Troops arrived.

It should be added in fairness to the authorities in Kasur that the only police which were at their disposal as a striking force amounted to 25 armed men.

9. In the afternoon of the 12th April the station at Khem Karan about 8 miles from Kasur was attacked by a gang of about 20 or 25 men. This attack appears to have been instigated by one or two of the Kasur rioters. Some damage was done to the telegraph apparatus and certain articles were looted, but the rioters were driven off with the help of some peasants in the neighbourhood.

Khem Karan Station attacked : 12th April.

10. Patti is a place of some 8,000 inhabitants, about 28 miles from Kasur and the same distance from Amritsar. Durga Das who had conducted the *Waqt* newspaper at Amritsar had a meeting at Patti on 5th April and brought about *hartal* on the 6th. The news of the Amritsar disorders on the 10th disposed the Patti mob towards loot. Rumours as to Lahore fort having been taken seem also to have affected them. On the night of the 11th they proceeded to cut the telegraph wires and on the night of the 12th a crowd which grew to about 150 men attempted to burn the post office but were prevented by Muhammad Suja Beg, a magistrate, who had organised a band of relatives and others equipped with seven rifles and some *lathis*. This mob was heard by him to be shouting that the English had been turned out. When repulsed from the post office it went to the railway and its godowns and did destruction there. From the 12th to the 14th there was a complete *hartal* and on an armoured car arriving on the 14th some men went out to loot it but ran away on discovering that it was armed. A column of troops visited Patti on the 16th and the disturbance ceased after that date. We understand that there were 20 policemen in Patti at this time. They seem to have done very little except that they dispersed the mob which attacked the railway godowns on the night of the 12th. There are two European firms in Patti but their buildings are Indian-owned ; there were no European residents.

Riots at Patti : 11th to 13th April.

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* Pony cart.

CHAPTER V.

Gujranwala District.

(1) Gujranwala.

1. A very serious outbreak, occurred at Gujranwala, a town of 30,000 inhabitants about 36 miles from Lahore. On 5th April 1919 a local meeting was held at which resolutions were passed disapproving of the Rowlatt Bill and expressing alarm "at the action of the Delhi authorities in firing upon the people of the city which resulted in the deaths of so many citizens." A resolution was also passed in these terms :—

5th April meeting and 6th April "Hartal"

> "This meeting expects that the 6th of April be observed as a national protest day and a fast of 24 hours be kept by all and that all business in the town be suspended for the day."

Colonel O'Brien, the Deputy Commissioner, saw the organisers of this meeting beforehand, and warned them that if a *hartal* took place and violence resulted, he would hold them responsible and arrest them. A *hartal* was held on the 6th April, but it passed off without violence or open excitement. On 12th April, Colonel O'Brien left the district on transfer, Khan Bahadur Mirza Sultan Ahmed acting as Deputy Comissioner.

2. Until the news of the happenings of the 10th at Amritsar and Lahore had time to affect the people of Gujranwala, there seems to have been no intention to hold a second *hartal*. After that news, Europeans and authorities alike were naturally apprehensive. On or just before the 12th a desire for a further demonstration was spreading and the probability of its taking place was becoming known. In some quarters it was expected to occur on the 15th. On the 13th it was definitely resolved upon for the next day and the intention reached the ears of the authorities in the evening. Though they did not apprehend that it would cause disorders of the character which in fact ensued, all available police were called into headquarters, making a striking force of about 50 men. Before leaving Gujranwala on the 12th the Deputy Commissioner had conveyed a suggestion to the American missionaries that they should consider the advisability of sending their women-folk away in view of the events at Amritsar. This suggestion was at first negatived by them but during the 13th the Superintendent of Police, Mr. Heron, urged his advice more strongly. Captain

Another demonstration desired.

Godfrey, a Missionary of the Church Missionary Society, who had meant to leave in a day or two for Gojra, decided in the afternoon to take his family away that evening. The American missionaries decided later and left in the middle of that night: being satisfied that in the event of trouble the Indian Christians would be quite safe without them.

14th April. Dead calf on Katchi bridge.

3. Early in the morning of the 14th—before 7 A.M.—the body of a dead calf was found hanging on the Katchi bridge near to the railway station. As soon as this was known Chaudhri Ghulam Rasul, Deputy Superintendent of Police, rode to the spot and about 7-30 A.M. had the calf buried some 200 yards from the place. Later in the day it was freely rumoured that the calf had been killed and exposed on the bridge by the police in order to create bad blood between Hindus and Muhammadans. For this rumour there was no justification, but it served as a means of inflaming the feelings of the people against the authorities.

Closing of shops.

4. Crowds had been early astir that morning; forcing shop-keepers to close their shops; shouting against the Rowlatt Bill and uttering "*jais*" for Hindu-Mussalman unity and for various well-known leaders.

Train mobbed.

5. A large crowd assembled at the railway station where a train from Lahore had arrived and were trying to prevent passengers from going to Wazirabad for the Baisakhi fair there. The driver and guard were interfered with and the train was stoned. It moved out of the station with an excited crowd following it or getting on to the foot-boards but very soon stopped near a bridge which is oppsite to the Arya Samaj Gurukul.

Gurukul bridge set on fire.

This bridge had been set on fire—certainly before 8 A.M.—by piling wood soaked in petroleum upon the sleepers. Mr. Nevill, Assistant Superintendent of Police, went with a guard of seven men and dispersed the crowd which was engaged upon this damage. He managed to put out the fire, not before the sleepers had been charred, but before any great damage had been done to the bridge. The brick-work underneath had also been interfered with. The train for Wazirabad was taken back to the station: it was ultimately despatched about 9 A.M. Meanwhile all guards at the treasury and other places were warned to be on the alert and the police reserve were taken to the station. With this force the Superintendent of Police cleared the railway station and the line near to it of crowds. Crowds kept approaching the Gurukul bridge but on seeing the guard there retired.

Attack on communications.

6. The Superintendent of Police found that the telegraph wire had been cut on both sides of Gujranwala, but the telephone to Lahore was open still and before 9 o'clock he sent a message to Lahore. The telephone wires were soon afterwards out of action and the next message for Lahore had to be sent for despatch to the railway station at Eminabad so that it was not

despatched until about midday. By the end of the day practically al the wires along the railway in front of the city were cut : there was a break of three or four miles : wires being flat on the ground and absolutely destroyed, insulators in large numbers being smashed.

Katchi bridge burnt.

7. Meanwhile much further disorder had occurred. The Katchi bridge had been set on fire by a crowd and seriously damaged. Chaudhri Ghulam Rasul, Deputy Superintendent of Police, had been sent to the city police station with half the reserve. While there he heard that a mob had gone towards the Katchi bridge side. He went there with a police guard and found it on fire with a mob surrounding it. The mob dispersed at his approach from the Grand Trunk Road. A guard was posted and the fire-engine sent for but as the fire was well advanced and the fire-engine could not be brought the fire could not be extinguished quickly. The wooden planks were seriously damaged and the bridge rendered unsafe for trains.

At the same time another police guard passed this bridge on its way further down the line. This guard was seen to get surrounded by a mob some four hundred yards from the bridge : the Deputy Superintendent hurried with his men to the rescue and the mob dispersed.

Attack on railway line. Firing.

8. The Deputy Superintendent of Police having returned to his post at the police station, was joined there by Agha Ghulam Husain, an Extra Assistant Commissioner. He got news of an attack upon the line at the distant signal on the Lahore side of the station not far from the Katchi bridge. Going towards that spot he found Mr. Heron and other officers with a police guard upon the railway line facing a mob of 4 or 5 hundred which was behind the railway fencing and on the Grand Trunk Road. This mob was what remained of a larger mob armed with crow-bars, hammers, *lathis* and railway implements for breaking up the line, which Mr. Heron had driven from their purpose. The mob kept closing in upon the line, it refused to disperse and wanted Mr. Heron to salute them by taking off his hat. One man who had come close up made a sudden attack on Mr. Heron and stone throwing began at the same time. Mr. Heron on his own responsibility ordered his men to fire and himself fired his revolver ; we entirely approve his action. This firing was at about 11 o'clock. Two or three men were wounded, one seriously : the mob cleared back beyond the railway fencing, but stone throwing continued from behind it.

Meetings and speeches.

9. By this time crowds round the railway station had increased and efforts to take portions of these crowds back into the city were being made by magistrates : also by certain pleaders who afterwards figured as accused before a Tribunal. It is clear that during the morning meetings were being addressed about the Rowlatt Act and other subjects of which Hindu-Muhammadans unity was the chief—in view apparently of the calf having been found hanging to the Katchi bridge. When some men wounded by the firing at the railway line were brought to one of these

meetings the temper of the crowd seems to have got worse than before. We do not propose to comment upon or to discuss the individual action of the persons who addressed or assisted at these meetings, but it is clear that they were a prominent feature in the history of the day. It is fair to state that the suggestion that all liquor shops should be closed came from one of the accused pleaders whom the Tribunal acquitted.

At the station.

10. The crowd which had been fired upon from the railway line did not disperse. It followed Mr. Heron and his party as they returned to the station, stoning them on the way, until it joined up with other crowds collected round about the station. At the station crowds came upon the platform. One man was threatening to kill Mr. Heron for having shot his brother and the need for further firing was becoming imminent when news arrived that the post office was on fire. This seems to have acted as a diversion and relieved the situation for the moment.

Post office burnt.

11. At the post office, which is just beside the station, another crowd was collected. The building was burning; all water had been removed and the pumps at the station damaged: the fire-engine could not come as the mob would not allow it, but the police did what they could to get water from a well with buckets. In the result the building was gutted. The crowds were waving black flags and hurling bricks—mostly at Mr. Heron—upon the police. Mr. Heron and the Deputy Superintendent of Police appear to have thought that the crowd should have been fired on when it was engaged upon and around the burning post office, but the acting Deputy Commissioner who was present refused to give liberty to fire. He seems to have been influenced partly by the presence of boys in the crowd and partly by some pleaders who said they would try and persuade the mob to go away. They tried to do so but their efforts were in vain. In failing to order the police to fire upon and so disperse these mobs around the burning post office the acting Deputy Commissioner appears to us to have committed an error. If effective measures had then been taken to disperse the mob and restore order the later incidents of the day might have been avoided.

Tahsil Church, "dâk" bungalow and District Court burnt. Firing in Civil Station.

12. As it was the mob proceeded to other works of destruction. Two sections crossed the lines one going towards the *tahsil* * and the jail, the other towards the district courts and *dâk* † bungalow. The *tahsil*, the church, the *dâk* bungalow and the district court were all set on fire although the crowd were driven off from the jail. The police force was quite inadequate to cope with the situation. Up and down the civil station, after 2 o'clock, they were reduced to firing on the mobs, whenever sighted; but apparently this was mostly firing at a distance, and it caused few, if any, casualties. The police lines themselves were attacked; the mob proposing to set

* Local revenue office.
† Travellers' rest house.

the buildings on fire and then to break open the jail. They were dispersed by firing. When the mob dispersed they did so only to form again. In this way the mob returned to the railway station in the afternoon, set the buildings and the goods-shed on fire and looted. The Casson Industrial School was burnt also.

Aeroplanes arrive.

The police were nearly exhausted when, at about ten minutes past three in the afternoon, three aeroplanes from Lahore arrived over the town. It was not until about 9 o'clock at night that the first troops arrived.

The mobs when the aeroplanes arrived.

13. The main object of the mob was certainly to destroy all Government buildings and there is little room for doubt that they were imitating or repeating what they had heard of Amritsar on the 10th. When in the civil station they do not appear to have gone hunting for Europeans in their bungalows. The District Engineer and his wife and children had been warned by Mr. Heron and took refuge in the Treasury which was protected by a small guard under a *havildar*. There were few other Europeans in the town apart from officers actually engaged in dealing with the mobs. In these circumstances no Europeans actually came within the grasp of any of the crowds though the mob persistently showed its anger against Mr. Heron and shouted threats to kill him.

It is naturally difficlult to discover with precision upon what acts the different mobs were engaged at the moment when the aeroplanes arrived. A witness tells us that they were burning the Industrial School at the time. They had moreover set fire to the church and probably to the goods-shed only a few moments before. Crowds were infesting the locality of the station ; it seems impossible to suppose that they had changed their intent and were not still bent on mischief as before. There was still every ground for great anxiety as to the safety of the Europeans in the treasury and elsewhere.

The state of the town is best shown as it presented itself to the eyes of Captain (now Major) D. H. M. Carberry, M.C., D.F.C., Flight Commander, No. 31 Squadron, whose aeroplane arrived first. At heights varying from 100 to 700 feet he flew over Gujranwala and the villages within an area of three miles to reconnoitre the position. He saw that the railway station was burning and also goods in the goods-shed. There was a train on the up line which appeared to be on fire as well. The station was crowded with people and there were large numbers of people around it, on the roads leading from the city to the civil lines and in the streets of the city. The English Church and four houses in the civil lines on the east of the railway were also burning.

Instructions given to the Air Force.

14. Instructions had been verbally given to Major Carberry by Lieutenant-Colonel F. F. Minchin, D.S.O., M.C., Wing Commander, who had himself received them verbally from the General Staff of the 16th Division. They were to the following effect :—

that the native city was not to be bombed unless necessary ;

that crowds were to be bombed if in the open ;

that gatherings near the local villages were to be dispersed if coming or going from Gujranwala.

15. Major Carberry first took action outside the town of Gujranwala. He dropped, he tells us, three bombs on a party of Indians 150 strong which was making for Gujranwala. This was outside a village about two miles north-west of Gujranwala. (We are informed that the name of this village is Dhulla.) One of the bombs failed to explode ; the others fell near the party and scattered it. Three people were seen to drop as a result of this bombing. We are informed by the Punjab Government that a woman and a boy were killed and two men slightly wounded. The rest ran back to the village, and fifty rounds were fired at them with the machine-gun to ensure that they were effectively dispersed. A few minutes later Major Carberry took action on a group of 50 Indians outside a village about a mile south of the first. This was, we understand, the village of Gharjakh. Major Carberry tells us that the party were apprarently returning from Gujranwala, and that he dropped two bombs, only one of wihch burst, but this, though it dropped near the party, did not cause any casualties. The party disappeared into the village, 25 rounds from the machine-gun being fired after them without ahy visible effect. So far as our information goes no casualties resulted at this village from the action taken.

Action in villages.

16. The aeroplane was now returning to Gujranwala. Major Carberry observed a party of about 200 Indians in a field near a large red building on the north-west outskirts of the town. This was the Khalsa High School and Boarding House. He dropped a bomb which burst in a court-yard and several people appeared to be wounded. Thirty rounds were fired at the party with the machine-gun and they took cover in the house. We were informed that so far as is known the casualties on this occasion were one man hit by a bullet, one student by a splinter and one small boy stunned.

Action at Khalsa School.

17. In the town itself, and apart from what has already been narrated, there were only two bombs which burst. Major Carberry dropped eight bombs in all and six have already been accounted for on his report. We were informed by the Punjab Government in its report that two bombs which did not explode were dropped in the town and it is certain that two very effective bombs which did explode were dropped near certain level-crossings in the vicinity of the railway station and goods-shed. There is some difficulty in identifying the two bombs, which Major Carberry describes to us as having been dropped by him, with the two which burst because Major Carberry did not see the bursts and thought at the time that they had failed to burst. Subsequently, however, he concluded that the two dropped by him must be the bombs that burst near the station but though probable this is not quite certain and he did not profess to identify them in his evidence. The two which he dropped were intended for a large crowd in the centre of the town and apparently near the

In the Town.

ation. The first killed four and wounded five; the second seems to have killed two and may have wounded as many as six. He also fired 100 or 150 rounds upon parties of Indians coming from the railway station and going to the civil lines. He returned to Lahore about 10 minutes to 4—the time during which he had been over Gujranwala being about three-quarters of an hour.

Of the other two aeroplanes sent to Gujranwala from Lahore, one took no action; the other fired 25 rounds from its machine-gun upon a gathering of 20 to 30 persons on a level-crossing between the civil lines and the city, but dropped no bombs.

It must be admitted that this leaves outstanding and unaccounted for two bombs which fell into Gujranwala, but did not explode. As, however, we find that these did no damage we have not thought it necessary to make a prolonged attempt at identification of individual bombs and bursts.

In the War Diary of the 2nd (Rawalpindi) Division, there is an entry dated 14th April at 18-00 hours:—"Lieutenant Kirby, R.A.F., confirmed report of burning of Gujranwala and stated he had fired down successfully into rioters. Subsequently had forced landing near Wazirabad. Rioters proposed to burn his machine, but he was able to start his engine and get away." We have no further information as to this machine.

Total casualties.

18. Colonel O'Brien, the Deputy Commissioner of Gujranwala, informed us that so far as could be ascertained the total casualties in Gujranwala on 14th April including those killed by bombs and machine-guns and those shot by the police, were 11 killed and 27 wounded.

Circumstances in which aeroplanes were sent.

19. It is now necessary to examine the circumstances in which the decision to use aeroplanes was taken. At or before about 9 o'clock in the morning, when the telephone wires were still working, messages had been sent to Lahore—apparently both by the station-master and by Mr. Heron, the Superintendent of Police—reporting the attack upon the early morning train, the cutting of telegraph wires and the attempt upon the line at the Gurukul bridge. About noon or later messengers had been despatched to Eminabad and Rahwali to send off telegrams for aid to Lahore and Sialkot, respectively.

At Rawalpindi news of the destruction to telegraphs had been received about 10 A.M., and Captain Harwood left Rawalpindi by the Bombay Mail about 1 o'clock for Gujranwala with a platoon of the Durham Light Infantry and a repairing party of the 39th Signal Company. At Wazirabad he was reinforced from Sialkot by 50 men from the South Lancs. Regiment and a railway breakdown gang. At Rahwali the special train which had brought the party from Wazirabad was stopped by the station-master who said that it was not possible to go further, but Captain Harwood persisted and the train ran dead slow till it came to the Gurukul bridge at Gujranwala. The Railway Engineer examined the bridge,

found that it could stand the passing of a train, and so about 8-30 P.M., troops at last arrived in the town. This was more than five hours after the aeroplanes from Lahore had first reached Gujranwala.

Decision taken at Lahore.

20. In Lahore the news of the first features of the outbreak had reached the General Staff of the 16th Division by about 9 o'clock in the morning and was reported to Sialkot and Northern Command. This day marked the height of the disorders, and reports of outbreaks actual or apprehended, together with measures taken to cope with those which had already broken out, combined to leave these headquarters with no troops whom it could spare. About 1 o'clock in the afternoon the Lieutenant-Governor managed to get Colonel O'Brien and send him back to Gujranwala by motor-car. (He arrived before the aeroplanes, *viz.*, at about a quarter past 2 o'clock.)

At 1-30 Lieutenant-Colonel Casson at the headquarters of the 16th Division was rung up on the telephone by Sir Michael O'Dwyer's Private Secretary and given the message which had left Gujranwala *viâ* Eminabad after mid-day. "*Hartal* and disturbance going on, mob active, more expected. Bridges on either side of station burnt. 15 up passenger stopped by mob. Police force insufficient. Military arrangements required." He was told at the same time that Sir Michael O'Dwyer suggested that aeroplanes should be used. General Beynon, General Officer Commanding, 16th Division, was accordingly informed by Lieutenant-Colonel Casson of this message and gave orders for the sending of any aeroplanes that were available. These orders, which were passed on to Major Carberry and the other airmen, were to the effect already fully stated.

Sir Michael O'Dwyer's evidence.

21. The circumstances are described by Sir Michael O'Dwyer in the evidence which he gave before us :—

"The Gujranwala disturbance came on us rather as a shock. The news of it came on the 14th, the very day that the rebellion was at its worst in the Central Punjab. We had heard of the Jallianwala incident and the derailing of trains the day before, in Amritsar, of the attacks on treasuries at Tarn Taran and Kasur, and we had heard of the spread of disorder to other cities, and on top of this we got this news from Gujranwala. The Deputy Commissioner of Gujranwala had been transferred two days before. Probably if he had not been transferred, the disorders would not have come to a head in so serious a form. Anyhow he had left the district and I got news through the railway telephone (the telegraph having been cut) that a mob had attacked the railway station and, as far as I remember, had burnt the post office, torn up the bridges on both sides, completely isolating Gujranwala, and had set fire to various Government buildings. We got two messages, one was more urgent than the other. I think they are probably quoted in what is called—I do not know why—the "War Diary." It was a publication which I had never seen until a copy was sent to me by the Punjab Government, of which I was completely unaware and the title of which I would certainly not have approved.

The position anyhow was this. We knew a very dangerous situation had arisen in Gujranwala; there were no troops there and very few police. The Deputy Commissioner had just been transferred and an Indian officer of very little executive experience was in charge of the district. The headquarters was completely isolated, cut off from Lahore, which is 45 miles on one side, by the burning of one bridge—we ascertained this—and cut off from Sialkot, which was another source from which troops might be obtained, on the other side by the destruction of at least two bridges, one close to Gujranwala and one close to Wazirabad. I at once got into communication with the General Commanding the Division. He informed me that the Pindi Division, which was about 200 miles to the north had received information about the situation at Gujranwala that morning; he also told me he had no troops to send, and even if he had them to send, there was no means of sending them owing to the communications being cut. He said Sialkot would send troops as soon as they could but it was also very doubtful whether they would arrive. The position seemed somewhat hopeless. Meanwhile we knew there was a small community of Europeans there and, judging by what had happened at Amritsar a few days before, they would probably be the first objects of attack. The suggestion came from me. At about 1 o'clock I got hold of Colonel O'Brien and sent him back in a motor. It was very doubtful if he would ever reach there because we had heard that the vicinity of Gujranwala was patrolled by disorderly bands. We sent the Deputy Inspector-General of Police also in a motor. The situation was so serious as regards these two men going out with a small escort, that they called for volunteers from the police and a few men did volunteer. It was doubtful if they would reach there, and if they did, that they would be in a position to do any good. That being the case, I suggested to the General that he should send out an aeroplane. Two nights before we got troops into Lahore city I was aware that Colonel Minchin, who was in charge of the aeroplanes in Lahore, was in the station, and when we had our discussion with the General I suggested, or the General may have suggested, that Colonel Minchin should be present because the use of aeroplanes had to be considered, and I was rather doubtful as to how the situation should be dealt with. This was two days before the situation at Gujranwala arose. We had a discussion with the military authorities and Colonel Minchin and the upshot of it was that it was decided, or rather suggested, that where aeroplanes were used to co-operate with the troops, they should not drop bombs in any city or thickly inhabited area because they could not do so with discrimination. They might injure innocent people. But that in such situations they might co-operate with the military. We know that these aeroplanes could fly at a very low level and it was agreed that they should use their Lewis guns in the same conditions as troops would use their rifles. That was the decision arrived at and accepted. We knew that it would probably be necessary, in view of the great paucity of our military resources, to use aeroplanes in certain places. Gujranwala was essentially a place where we had no troops and we had no means of getting them there. It was a case where, if we were to render any aid at all,

it could only be done by aeroplanes. The mob was burning and rioting; it had burnt most of the Government buildings, had attacked the prison, had attacked the treasury, at which the few Europeans there had taken refuge, and in the middle of all this scene of riot and rebellion and confusion the aeroplanes arrived. I may say that I did happen to read Captain Carberry's evidence. He was the officer, who, I think, dropped bombs or used machine guns and he said in that evidence that he had received his instructions from Colonel Minchin before he started. Of course I was not in a position to give any instructions; if any instructions were given, they were given by the General. Any how the aeroplanes arrived there in the middle of the disturbance, and Captain Carberry dropped bombs, as I discovered when he came back and reported, and dispersed very large masses of people whom he found engaged in spreading mischief and destruction."

Decision justified.

22. It appears to us that, in the circumstances, the decision to use bomb-carrying aeroplanes at Gujranwala on the 14th April was justified. When it is possible to render assistance in time by the despatch of troops, recourse to bombing from aeroplanes is in our opinion indefensible; other uses of aeroplanes may perhaps be defended; but the absence of information, moment by moment, from the ground, the imperfect opportunities of observation as to the demeanour of the crowd and other matters and the difficulty of ensuring accuracy in firing upon particular targets are factors which in greater or in less degree call for caution in the use of this arm for the purpose of direct offensive action against crowds. We do not consider it within our duty or within our competence to attempt a decision as to matters which are not only technical but which will change perhaps rapidly, as the equipment, skill and methods of the Air Force advance. For this reason we say nothing here as to such other uses but as to the use of bombs from aeroplanes we do not think that this would be defended by any one save in cases of urgent need, in the absence of other means, and under the strictest limitations even then. In our opinion the first two of these conditions were present in full force. Whether one looks to the actual facts as they appear after subsequent investigation, to the facts as apparent at the time to persons on the spot, or to the facts as known at Lahore at the time of taking the decision, the urgency and the extremity of the need for prompt dispersal of the rioters is incontestable. The orders given to the Wing Commander by the General Staff were "to send machines out with bombs and machine-guns to disperse the rioters at Gujranwala with the object of saving the lives of any of the white population which were in danger." The rioters had cut off communication by telegraph or telephone between Gujranwala and outside places: they had been trying their best to make the railway useless for sending troops to the town: their violence could only be measured when it had been stopped: it was not stopped till the aeroplanes appeared: the police had definitely failed to impose control and were practically exhausted: troops despatched on the earliest information did not arrive till five hours afterwards: there was no certainty of troops reaching there that day at all: and there were no other troops who could be sent. We are not

prepared to lay down as a charter for rioters that when they succeed in preventing the ordinary resources of Government from being utilised to suppress them they are to be exempt from having to reckon with such resources as remain.

Action taken discussed.

23. In acting as they did, Major Carberry and his fellow officers carried out the instructions which had been given to them and it does not appear to us that blame can be imputed to any of them. We think, however, that the action taken under the instructions given illustrates their defectiveness. So far at any rate as the use of bombs is concerned we are unable—apart from the fact that Major Carberry was carrying out orders which he was bound to obey—to uphold the action taken by him in either of the two villages or the action taken at Khalsa High School in the north-west outskirts of the town. The element of immediate and manifest urgency is lacking as a justification for these bombs, particularly so in the case of Gharjakh where a party of fifty people were apparently returning from Gujranwala. We are glad to record that in this case no casualties appear to have been caused. It is difficult to feel certain that it was necessary to fire with the machine-gun upon the parties at Dhulla and the Khalsa High School in order to disperse these parties effectively : but we are not prepared to impute blame for the officers' decision taken in the air and at the moment.

The crowds bombed and fired on.

24. As regards the bombs which fell in Gujranwala, we confine ourselves to the two bombs which burst. This action we uphold. These bombs appear to have fallen in the midst of rioters caught in the act of rioting and fully minded to continue. We do not doubt that upon the actual swoop of the aeroplane the crowds would commence to move off, but no person forming part of the mob at the place where these bombs fell and at the time when the aeroplane took action could reasonably complain, either on the ground that he was now minded to go away or for want of notice that strong measures would be taken, or otherwise. These bombs were not only justified, but in our view, were invaluable, and the fact that the disorders were ended by the aeroplanes long before troops arrived is, we think, in large measure attributable to them.

Major Carberry's action in firing with his machine-gun upon crowds in the streets of Gujranwala does not appear to us excessive. He explained to us that there was a large crowd and these rounds were fired at people who were collecting round the station and who were running away when they saw him begin to fire. It is no doubt difficult to judge from a flying machine moving rapidly in the air, the moment at which effective and definite dispersal of a large crowd has been ensured. The first sign of movement is not a point after which any rounds fired from an aeroplane must be condemned as unnecessary : in this case a large crowd had to be got and kept on the run until the clearing of the station and the area of the outrages was ensured.

25. The instructions which should be given to officers in charge of aeroplanes when employed in the suppression of disorders might appropriately form the subject of a careful inquiry by those in command of the Air Force. Special problems are presented in the use both of bombs and of machine-guns from the air and there may be other means with which an aeroplane might be provided for dispersing crowds. As Sir Michael O'Dwyer has shown in the passage already quoted from his evidence, the authorities at Lahore had given their best consideration in the circumstances to the question of the instructions with which aeroplanes should be sent out in case necessity arose. It may not be in all cases adequate, and if adequate, it may not be practicable as a working instruction to an observer, that the crowds to be bombed or fired upon are such only as appear to be actually engaged in the work of destruction, or about to engage in such work. The swiftness with which an aeroplane can arrive at the scene of disorder, the large measure of immunity from attack from the ground, and its independence of all external aid in getting there, are advantages which must always count heavily and in no country more so than in India; but these in their turn must be heavily discounted unless instructions to observers can be so formulated as to leave them with a discretion which is controlled upon clear and practicable lines and limited strictly, as regards the more violent of the measures which are open to them.

Instructions to aeroplanes.

26. On the 15th April Lieutenant Dodkins received instructions in the early morning to take an aeroplane and make a route reconnaissance over the railway between Lahore and Gujranwala, to ascertain if the railway had been destroyed or the route cut in any way and also to make a district reconnaissance of Gujranwala and report on the general situation. He was further ordered to take offensive action on any large gathering of people.

15th April. Another aeroplane.

He found no such gatherings in Gujranwala, but in a field about a mile to the west, he saw a gathering of about 20 people whom he scattered by firing his machine-gun, but without aiming it so as to hit the crowd. We have no information that any casualties occurred. A few minutes later he noticed in a village about half a mile to the west of Gujranwala a gathering of from 30 to 50 men who were standing in a semi-circle round the door of a house being addressed by a man from the door. On the approach of the aeroplane this party entered the house. Lieutenant Dodkins dropped a bomb which hit the adjoining house and blew in the side. We have no information that this caused any casualties but no sufficient explanation has been given to us to justify the use of this aeroplane for purposes of offensive action.

II

The disorder which showed itself in the town of Gujranwala spread extensively in the Gujranwala District. There were outbreaks in

fourteen different places in this district, but only the main features of these disturbances are referred to below.

Wazirabad.

At this town, which is 20 miles north of Gujranwala and has some 15,000 inhabitants, a *hartal* had been fixed to take place on the 15th April. This intention seems to have been formed before the 14th, but to have been strengthened by the news of the outbreak at Gujranwala on that day. Some eight or ten Europeans were living in or about Wazirabad and were warned to hold themselves ready to collect in Wazirabad on short notice. They in fact took refuge in the railway rest-house on the afternoon of the 15th. There had been a station guard at Wazirabad before the 14th and on that day a body of cavalry were sent from Sialkot as Captain Harwood passing through to Gujranwala had noticed that things seemed in a disturbed state. On the morning of the 15th the troops had to disperse a mob from the goods-shed. Though unable to effect their designs upon the station as troops were there to protect it, the mobs did extensive damage to the telegraph lines, knocked down the distant signal and set on fire the bridge over the Palku close to the Chenab. The fire was extinguished after the mob had been dispersed by police.

Another portion of the crowds went to Nizamabad village—on the south of Wazirabad—pulled down telegraph wires and damaged railway bridges and level-crossing gates. It set fire to a gang hut. They sacked and burnt the house of a Church of Scotland missionary—the Revd. Grahame Bailey—which was in charge of the servants, Mr. Bailey and his family having been brought into Wazirabad for safety on the previous day. The temptation to assist in looting was too much for some of the neighbouring villagers. It was found by a Martial Law Commission that when the ringleaders suggested the attack upon Mr. Bailey's house some of the mob demurred on the ground that he was an Irishman and therefore against the Government: but the more violent elements in the crowd prevailed against this argument. Apart from much property destroyed in this attack and the burning of the house, we understand that the labour of many years was destroyed by the burning of some valuable manuscripts upon Indian languages.

The damage to the telegraph wires extended for about 1½ miles at Nizamabad and at Wazirabad for about 3 miles. The wires were cut and lying on the ground: at Wazirabad poles had been broken down as well. The stationmaster, Mr. Norris, trolleyed down the line towards Kathala and found a number of boulders had been placed on the line. The mail due from Kathala was stopped by him and these boulders removed—otherwise it would certainly have been derailed.

Akalgarh.

At Akalgarh which is about sixteen miles from Wazirabad there was also disturbance on the 15th following upon *hartal*. Telegraph lines were cut and signal lamps broken.

Hafizabad.

At Hafizabad about 58 miles from Gujranwala, *hartal* was held on both 14th and 15th April. On the second day the crowd damaged the signals and telegraph wires. The main outbreak, however, was on the 14th when the crowd rushed on to the station as a train was coming in, and seeing Lieutenant Tatam of the Military Farms Department who was in uniform, they made the most determined efforts to reach him. He was accompanied by a little boy, and when he saw the turbulent nature of the crowd he closed all the shutters of the windows and bolted the doors of the carriage. The crowd attempted to open the doors of the carriage. When they failed they threw sticks and stones at the windows. There is no doubt that the intention of the mob was to murder Lieutenant Tatam and that they would have done so if they had been able, but fortunately the train was moved on before the crowd were able to lay their hands on him. According to Lieutenant Tatam's statement to us, the crowd were dancing about in front of him waving flags and sticks and shouting "*Captain Sahib ko maro, Sahib sala andar hai.*"*

Sheikhupura Sub-Division.

1. The only town in this area in which the general *hartal* of 6th April was observed was Sheikhupura. On the 11th meetings were held at Sangla to promote a *hartal*. On the 12th a *hartal* was held, there were processions and excited speeches containing description of the events at Lahore and Amritsar. In Chuharkana also there was a meeting on the 11th. On the 14th outrages occurred in four different places. At Sheikhupura the signals were damaged, the post office wires and the telegraph wires between Sheikhupura and Lahore were cut. At Sangla a train was stoned. At Chuharkana the railway station was invaded, at Moman the station was looted and the buildings set on fire.

Attacks on railway.

2. Renewed acts of disorder occurred on the 15th. Persistent attacks were made upon the railway. The rails about 1½ miles from Dhaban Singh station were torn up and the telegraph wires cut. The station itself was attacked and looted. A large party of men went from the market to Chuharkana station and began to tear up the permanent way. A graphic account of what occurred here was given by Lieutenant Khan Abdur Rahim Khan of Zaida, of the Indian Army. He was a passenger in a train from Lahore for Lyallpur which reached Chuharkana about 4 in the afternoon. The train was stopped. He was informed by his servant that the mob were dismantling the line. He saw a lot of people running towards the station with axes in their hands. Some people rushed the stationmaster's room, others proceeded a few hundred yards towards the Lahore side, got to the telegraph poles and started cutting the wires and dismantling the lines. The stationmaster and another railway employee were assaulted. The mob proceeded to acts of looting. Along with Mr. Budh Singh, Executive

* "Beat (or murder—the word *maro* has both interpretations—) the Captain The.....Sahib is inside!"

Engineer, Lieutenant Rahim Khan took shelter in a house near the station. The station was set on fire by the mob. Early in the morning he was informed by Mr. Iqbal Singh, a pleader, that the crowd had sent word that they should accompany the mob and lead them to Lahore and to other places they intended to attack or be ready for the consequences. On being asked what he understood by "the consequence," he replied:—"We drew our own conjecture: we thought they would come and loot us and we would have to put up a fight and if they were in superior strength they might kill us." He heard shouts through the night, but these ceased after the arrival of an armoured train and firing from a Machine-gun.

Armoured train.

3. The armoured train here referred to had been sent from Lahore with some British troops under an Indian Defence Force officer. Rai Sahib Lala Sri Ram Sud, Extra Assistant Commissioner, in charge of the Sharakpur Sub-division, got on board at Sheikhupura about midnight. It was known that villagers were on their way to Chuharkana to loot it. On approaching Chuharkana station a pointsman's box was found placed across the line and a little further on men were seen (with the aid of the searchlight) gathered at the side of the railway. How large this gathering was is uncertain. Fire was opened on them as, in the circumstances and at that time of night, it was considered that they must be making some attempt on the line. Next morning one man was found dead and near him a coil of telegraph wires which had been cut. He was a complete stranger to the place and it is difficult to suppose that any error was committed in firing upon him and his companions. The searchlight could be seen from Chuharkana. On its arrival at the station the police who had been unable to prevent the mob from attacking the line informed the officers on the train that the mob had fled at the sound of the firing and also told them where some persons were now hiding in a factory. The party went to the factory and found hiding there a man who had left a brand-new *chhavi** outside. The arrival of the armoured train marked the end of disorder in Chuharkana itself but distrubances continued elsewhere in this area.

Sangla.

4. On the 16th a large crowd assembled at Sangla and rescued a military prisoner from a detachment at the station. A murderous attack was made on Mr. Wale, Telegraph Inspector, at Sangla post office. On the night of the 16th-17th the villagers of Barhoa cut the telegraph wires on the Shahdara-Lahore line near their village.

The position at this time was one of damage and outrage, chiefly directed against the railway line, but also motived by a desire for loot, extending throughout a large agricultural area. Attacks on the railway were very difficult to cope with. Rai Sahib Lala Sri Ram Sud and the other officers on the armoured train continued their efforts on the 16th and on several occasions firing took place on the authority of this

* A long weapon resembling a battle-axe.

magistrate upon people who had gathered near the line and who in his opinion were bent on mischief. On the evidence contained in the statements made to us there does not appear to be sufficient ground for criticising adversely the opinion which he formed as to the intentions of the crowd or the action which he took. This officer appears to us to have acted in a difficult situation with promptitude and decision. Martial law was proclaimed formally in this area on the 19th, but Ordinance II of 1919 which applied Regulation X of 1804 to the Gujranwala district was gazetted on the 16th.

CHAPTER VI.

Gujrat District.

In this district, which is predominantly agricultural and contains a large element of the martial classes, political activity had been at a minimum and the 6th of April passed without any interest being taken in the All-India *hartal* movement.

Gujrat.

Gujrat itself being a town of 10,000 inhabitants on the main line was the first place to feel the effects of the neighbouring disorders. On the 14th April a *hartal* was held and crowds paraded about with a black flag giving vent to "cries of lamentation." On the 15th the *hartal* continued and crowds still paraded. A crowd stoned the masters and the windows of the Mission School because it was not closed for the *hartal*. Later on a crowd gathered at the shrine of Shah Husain and thence made for the railway station. Here they broke furniture, panes of glass, and a clock: smashed the telegraph instruments: sacked the booking office and set fire to a quantity of papers and parcels with some tins of oil which they had picked up on the way. The Senior Magistrate and some other officers on hearing of this attack on the station hurried to the spot and, as the crowd would not desist after repeated warning, a police guard was ordered to fire upon it. This caused no casualties, but was effective in dispersing the mob.

Jalalpur Jattan.

At this place, which is about 8 miles from Gujrat, shops were closed on the 15th and crowds went about the streets. At night the telegraph wire was cut in two places. Next day the *hartal* was continued and a meeting of Municipal Commissioners in the Town Hall was broken up by an invasion of the crowd.

Malakwal.

This is a large village about 55 miles from Gujrat. It is a railway junction and has a good many railway employees. These were apparently in a mood to strike for reasons of their own and some speeches which they had heard against the Rowlatt Act were having effect in intensifying discontent. A crowd mostly concerned to bring off a strike went to the railway station on the morning of 15th April, but, seeing troops there, did nothing.

On the evening of the 16th, a party went out and cut all the telegraph wires serving the main railway line at a spot near a village called Kalawal.

As they were returning they were joined by others and some of the combined party went back and pulled up the railway line, throwing the sleepers and rails down an embankment. Next morning this resulted in a train being derailed and two lives lost. These attacks upon the railway were projected by two men who got others to follow them and acted as leaders.

CHAPTER VII.

Lyallpur District.

This district has, in its present state, been brought into existence by the extension of irrigation from the Upper Chenab Canal. The traders in the market towns which are of recent origin come largely from Amritsar and Lahore. The Colonists have been drawn largely from the Central Punjab and maintain communication with their old homes. The area is thus a microcosm of the Punjab and is likely always to react quickly to influences from other districts.

Lyallpur.

Lyallpur.

1. In Lyallpur itself there was a district Congress Committee and on the 6th of April they successfully brought about a *hartal* which was marked by no violence and seems to have been purely a political demonstration. On the 11th news arrived of Mr. Gandhi's arrest at Palwal and on the 13th the town was in a state of excitement. *Hartal* commenced and, with short interruption, continued until the 19th.

Posters in town.

2. During this period a very disquieting and prominent feature in Lyallpur was the continued exhibition of posters of an inflammatory and criminal character. The *kirpan* incident at Amritsar where some Sikh girls had been allowed to travel with Sikh knives and without being searched by any one was represented thus :—

> " O Sikhs, die or drown yourselves in the tank of Deputy Commissioner's bungalow as your daughters were dishonoured at the hand of the sweepers. Allow your young men to take revenge."

Other posters are as follows :—

> " Blessed be Mahatma Gandhi. We are sons of India. We shall not give way. We shall lose our lives. We shall never abide by this Rowlatt Bill. Gandhi ! We the Indians will fight to death after you. The flag of cruelty and oppression has been fixed in the ground. Alas ! British, how you have cheated us. Do you remember those days when you were groaning ; when Germans were threatening you in the battlefields of Europe. Your boat was light, but the storm was heavy and you were calling us (the Indian ship) for help. We the Indians lost our lives for you and defeated your enemies. Now be ashamed you have done much oppression upon us and

our cup of patience is about to overflow. You have fired on the Indians and have shot them to death. See that night is coming for your days of wrongs. The times are coming when you will not be here and all your oppressions and cruelties will come to an end."

"The treatment which have been meted out to our girls at Amritsar are unbearable, and we cannot express them. You should ponder over this that we should have seen such a time in a dream. It is very sad that all your brethren are keeping silent at this moment."

"What time are you waiting for now? There are many ladies here to dishonour. Go all round India, clear the country of the ladies and these sinful creatures, and then will be the only time when we can all say together: 'Blessed be the Hindus, Muhammadans and Sikhs."

3. On the 13th and 14th nothing occurred save excited and noisy gatherings of people, but the tension was such that on the evening of the 14th all the Europeans (to the number of about 90) concentrated in two bungalows in the civil lines so that they might more easily be defended. On the same day a committee was appointed at a public meeting to decide as to when the *hartal* should be brought to a close. On the 15th shops were re-opening or preparing to re-open. Some troops had arrived on the 14th, but the bulk of them had to be sent to Sangla and in fact were instrumental in saving the station there.

13th—19th April.

On the 16th news came of the burning of stations at Chuharkana, Moman and elsewhere. It was anticipated that mobs would come to Lyallpur from Sangla, both by the authorities and the people. Some people went by train from Lyallpur to join the large crowds which were expected to be coming: the authorities posted what men they could spare to intercept any such crowds. Some of those who had left the town engaged in destruction of telegraph wires on their return. In the night of the 17th, four out of eight stacks of Government *bhusa* * at the station were burnt. No one was ever sent up for trial or convicted for this though the damage done amounted to about R50,000 and it seems just possible that it caught fire accidentally. More troops arrived on the 17th and on the 19th a moveable column came to Lyallpur, its presence safeguarding the town against further disorder.

Gojra.

Hartal was held here on the 15th and 16th of April. We were told that one missionary had left on hearing that his house was likely to be burnt. On the 15th a large crowd went to the station. We are informed that they prevented a train from starting until they had looked for Europeans in it, but they

Gojra.

* Cattle fodder.

found none. Save that they assaulted a sweetmeat vendor and attempted to close the refreshment stall, they did no special damage.

Chak 150—Gugera Branch.

A gang of villagers, mostly *Jat* Sikh colonists, came out at night and tried to wreck the line between Toba Tek Singh and Janiwala, overturning telegraph poles and cutting wires.

General Note.

In many other towns and places in the Punjab, to which we have not thought it necessary to refer, *hartals* were held and acts of violence or disorder occurred. In a chronological statement appended to their case as presented to us, the Punjab Government have mentioned, in order of date, the different events connected with the disorder and we refer to this document as enumerating a number of events in the province upon which we did not call for specific evidence. A statement of the damage done to property during the disorder will also be found in the appendix.

CHAPTER VIII.

Attacks on Communications.

1. The interruptions of the telegraph and railway systems were persistent and widespread. This was one of the earliest manifestations of violence in Amritsar on the 10th April and the earliest date at which we can put its cessation in the Punjab is the 22nd April.

In the foregoing narrative, many of these outrages have been referred to in connection with the outbreak at particular places, but the risk of a general breakdown of communications was throughout one of the gravest anxieties of the Punjab Government and is an element of cardinal importance in considering the measures which it adopted. We think it advisable accordingly to present with this Report material for a consideration of the railway situation as a whole. This will be found in the list of "offences reported on the railway," which was put in by Mr. V. H. Boalth, Traffic Manager of the North-Western railway, when giving evidence before us. The list forms part of the Appendix to this Report. With the aid of the maps an estimate may be formed of the seriousness and extent of the threat to communications.

2. A summary of the numbers of the outrages upon Telegraphs prepared and submitted to us by Mr. J. M. Coode, Director, Telegraph Engineering, Northern Circle, is given below :—

"Statement showing number of separate outrages committed on the Telegraph lines, etc., on each date during the recent disturbances in the Punjab. The number given is only approximate as it is not now (29th August) possible to quote accurate figures :—

Date.	No. of outrages.
10th April 1919	9
12th April 1919	4
13th April 1919	4
14th April 1919	12
15th April 1919	7
16th April 1919	7
17th April 1919	3
18th April 1919	2
19th April 1919	4
20th April 1919	1
21st April 1919	1
TOTAL	54

3. The attacks on communications were in many cases motived by sheer *anti*-Government feeling. The railway is considered, quite rightly, a Government institution and railway damage is in these cases simply a part of the destruction of Government property upon which the mobs were bent. There is, however, an additional motive present apparently in a large number of cases in the desire, if possible, to prevent the arrival of troops and to make calls for assistance impossible. In the country districts the railway afforded almost the only opportunity for destruction of property other than Indian-owned private property, and the easiest and most tempting opportunity for loot. At night it was also the most difficult, of all the forms of violence, to discover or prevent; at the approach of an armoured train, the mobs could hide in the crops and return when the train had left.

Motives for destruction.

4. The general unrest had its effect upon railway employees, but in addition there were special causes of anxiety as regards them. There seems to be no doubt that at the time when the Amritsar outbreak occurred a strike was in prospect among some classes at least of railway workers. With the continuous rise in prices dissatisfaction with the rates of pay was inevitable. These had been revised early in 1918, but by February and March 1919 memorials for further increase had been submitted from all over the line: except for one class of men who had received an increment, these memorials were still under consideration when the disorders broke out. The signallers, who have special facilities for communication with one another, and the assistant stationmasters seemed to be the classes most agitated and disturbed. The signalling staff at Lahore Railway Telegraph Office, which controls the main circuits of the system, appear to have been free from any sort of disaffection, and "practice" messages intercepted in this office from all over the lines showed that on the 12th April telegraph operators over a wide area were only awaiting a lead before going on strike.

Railway employees.

5. After the 10th April the railway staff in all its various classes were interfered with by people inciting them to stay away from their work and molesting them on the way to their duties. On the 12th, a large proportion of the men in the Locomotive shops failed to present themselves. At Shakurpur the locomotive, carriage, wagon and traffic staff struck work on the 13th. At Bahawalnagar there was a strike on the 14th, and the strikers, helped by people in the city, refused to allow an engine to pass and sat on the line saying that they would be cut if the engine went over them. This strike spread to Delhi-Kishanganj just outside the Punjab. On the 15th at Kundian there was an attempted strike. At Amballa there was a short strike of the traffic staff, but this was not very serious. These facts are sufficient to illustrate the reality of the apprehension that disorders arising among the general public would combine, with special grievances on the part of railway employees, to precipitate a strike not in one department only, but in

Incitements of railway staff.

many, which might for a time paralyse the railway system. We were informed by Mr. Thompson, Chief Secretary to the Punjab Government, that the premature, and as it turned out mistaken, announcement made on the 16th April by a general telegram, sent over the whole of the North-Western railway system by the Agent, to the effect that martial law was declared on the whole of the North-Western system, did much to allay trouble on the railways.

Passenger trains.

6. During the period of acute unrest, passenger trains were in general got through, though very late. The goods traffic suffered more, and in the disturbed areas, the railway as a commercial system was practically paralysed between the 10th and 21st April. Derailment of trains was resorted to by the rioters in several cases. In one case an armoured train was itself derailed by a mob having removed the joints and opened out the rails. A rail was removed at Kala, just north of Jhelum, on the 15th April and a passenger train was derailed. A troop train was expected about that time and it is inferred that this was the train which the rioters intended to upset. As already mentioned, at Chheharta on the 13th an engine and goods-train were derailed and some looting took place on the train. Also at Malakwal, in Gujrat District, as we have seen, a train was wrecked by derailment: a fireman and a passenger were killed: two engines and a wagon overturned.

Part played by staff in disorders.

7. Speaking generally, though subject to some important exceptions, the acts of destruction on the railway were not taken part in by railway employees. Some complaints have been made before us that, on particular occasions when attack on railway property was being made by outsiders, the railway employees seemed to be unaccountably inactive to prevent destruction or to assist the authorities after the event to bring offenders to book. There are some signs of this attitude having been adopted in particular cases, but we are not prepared to express an opinion to the effect that they show any widespread willingness on the part of the railway staff to see railway plant destroyed.

Restrictions of traffic.

8. In view of the difficulties in running the traffic and also for reasons of policy which weighed with both the military and the civil authorities, passenger traffic was severely restricted for a time, especially after the 14th April. After martial law was imposed, a system of martial law permits was introduced.

Bearing on martial law.

9. The facts which we have mentioned as regards the railway situation have some importance upon the question of continuance of martial law after the 5th May when the Field Army received orders for mobilisation in view of the war with Afghanistan which was then breaking out.

CHAPTER IX.

Causes.

Specific causes and general unrest.

1. At Amritsar on 10th April 1919 the immediate cause for the assembling of the crowds which subsequently broke into acts of disorder and violence was the deportation of Drs. Kitchlew and Satyapal. On the same evening unruly crowds gathered at Lahore on news reaching that town of the occurrences at Amritsar and of Mr. Gandhi's arrest. In other places, *e.g.*, Kasur and Gujranwala, it is more difficult to trace the reason for the first exhibition of excitement among the people. They were influenced no doubt by what they heard of the occurrences in other places. They were advised, in some cases encouraged, to emulate the example there set. An adequate explanation, however, of the general and widespread outbreak in the Punjab against constituted authority, of the attack on Europeans, on Government property and on the railway and telegraph system must be sought in the causes of a general state of unrest and discontent among the people, particularly the inhabitants of the larger towns.

Home Rule and self-determination principles.

2. We have already noted in our narrative of events the increased interest shown in certain parts of the Punjab in political agitation. This is largely due no doubt to the Home Rule movement started several years ago. For the purposes of this report it is unnecessary to trace the history of this movement either in its more violent or more moderate manifestation. A succinct reference thereto is to be found in the memorandum * presented to us by the Government of India. The desire for a larger say in the government of the country was greatly fostered by the dissemination in the press and otherwise of the doctrine of self-determination which formed so prominent a subject of discussion at the peace conference in Paris. The principle, involved in the new Government of India Act, even before it could be carried into effect, and indeed from the moment that it was solemnly acknowledged, also acted necessarily as a stimulus to political activity and gave height to the interest in public affairs.

Defence of India Act.

3. The circumstances under which India had to develop these principles were exceptionally difficult. Restrictions, which under normal conditions were unnecessary, were becoming more and more essential—not in India only—as

* *Vide* Evidence, Volume VII.

the war drew slowly towards its climax, and the strain and risk increased. These restrictions affected the daily life of the ordinary citizen much more lightly in India than in Europe: *e.g.*, though recruiting was intensive in the Punjab and elsewhere, conscription was nowhere in force. But the Defence of India Act, 1915, and the rules made thereunder did trench upon the ordinary measure of liberty. Important examples of this interference with individual liberty were the power to order "deportation" of individuals from a given locality and to confine or intern them in a particular place: the power to create and authorise the creation of new offences: the power to set up special tribunals: and the power to exclude newspapers from special provinces or control the press. It is not our desire, nor is it within our duty, to throw doubt upon, or even to canvass, the necessity or wisdom of this Act. What we desire to point out is that the exercise from time to time of powers such as these was taking place, though as a war necessity, at a time when the political future of India was being re-cast. It may be that restrictions upon political agitation, whether on the press or on the platform, were all the more necessary but they were all the more galling. To the educated classes, who in India are composed largely of the various lawyer classes, they naturally appeared as diametrically opposed to their conception of constitutional doctrine.

Situation in Punjab.

4. The Punjab owes part of the troubles which we have had to investigate to its own merits. The martial classes of this province make the finest soldiers, and as call after call was sent to India for men, and for men of the right kind, the response from the Punjab was unfailing. That Sir Michael O'Dwyer as Lieutenant-Governor did his utmost to encourage recruiting and that the Punjab made enormous efforts under his leadership to shoulder the Empire's burden according to the utmost limits of its ability, are facts which may be stated without instituting comparisons or inviting contradiction. Other aspects of this question will be discussed later, but it is important to remember that in 1918 the need for more men was not lessening but increasing. Already in February 1918 the strain began to be severely felt and the pace was slackened. The appeal of the Prime Minister to India in consequence of the altered military situation resulting from the German offensive was answered by an endeavour to produce half a million combatants in the year commencing on 1st June 1918. The Central Recruiting Board fixed the Punjab quota of combatants at 180,000 and a Punjab Provincial Conference held on the 4th May resolved to answer this demand and to find 20,000 non-combatants as well. When the armistice was signed in November the Punjab was found to have made good more than a proportionate part of the demand made upon it.

Country districts.

5. These times of stress were therefore specially difficult among the high-spirited and martial people of the country districts. The towns had their own problems, but political activity by and among the educated classes there had

possibilities of immediate danger if it infected the rural population with antipathy to Government or with disbelief in its power. To do irreparable damage to the Empire a temporary alienation was enough. Whether the use made in the Punjab of the special powers under the Defence of India Act and other legislation was or was not greater than can be justified by the necessities of the place and time is a question which involves a critique of several years administration and upon which we feel no special competence or duty to pronounce. Sir Michael O'Dwyer explained to us in detail his reasons for regarding the situation in the province as critical and the necessity for his dealing promptly with any manifestations of hostility to Government. It seems clear that the cumulative effect of taking action under special powers would be in any case to make the contrast broader and more evident between the new notions of liberty for India and the practice of the moment.

Period subsequent to armistice.

6. After the conclusion of the armistice in November 1918 the powers under the Defence of India Act continued, though limited to a period of six months after the conclusion of the war. We have seen that the necessities and incidents of a war régime were clashing with principles of government which had been grasped with a new vigour and were colouring political expectations, when the actual period of hostilities with Germany was seen to have come definitely to an end and a powerful reconciling force began to weaken. Apart altogether from special problems connected with the terms of peace—of which the *Khilafat* question is the greatest—one of the two forces was strengthening rapidly. The representatives of India were taking a share in settling the destinies of Europe. Definite shape was being given to the new constitution: every project, hung up by the war, could now come back into the field of reasonable discussion. If the Defence of India Act was necessary before to make certain that the Empire in her supreme struggle for existence would not break down in India, India was now expectant of special recognition—not because she had not failed the Empire—but because she confidently considered that she had played her part to maintain it. The politically minded classes were bound to re-act to such stimuli as these and there were many others. The war had brought high prices and new problems as to export of foodstuffs; the war and the peace alike meant dislocation of existing conditions.

Post-war questions.

7. On the other hand, the war was not over till it was done with. The anxiety of Muhammadans over the fate of Turkey was a direct consequence of the war and seemed full of possibilities of trouble. The return of troops would produce acute problems in many parts. Forces of mischief had been pent up by emergency legislation, to which it seemed hardly reasonable that the flood-gates should be thrown open all at once, though it was certain that the continued exercise of special powers by the Executive would now be looked upon with redoubled suspicion, and as the degeneracy of a war measure into an abuse.

8. In a country which was only at the stage of looking forward to representative institutions not much is to be gained by elaborating upon the exciteableness and credulity of the masses or upon their comparative helplessness in choosing whom to follow and believe. It is, however, important to observe that the position of affairs in India early in 1919 was such, that political interests were bound to affect the masses before long—at least in the towns. Much therefore depended upon the educated classes and more upon the power of those who were minded to be reasonable to compete in influence with others, whose only contribution to any difficulty would be complaint of Government and hostility—veiled at best—to the British *Raj*.

Position in beginning of 1919.

9. The agitation against the action of the Government in pressing forward and passing the Rowlatt Bill must be particularly noticed as it was in our opinion largely, if not mainly, responsible for creating the feeling against Government which promoted such serious disorder in the Punjab.

Rowlatt Bills.

The opposition to the Rowlatt Bills was very widespread throughout India among both moderate and extreme politicians. It was represented that, on the eve of the grant of a large measure of self-government to India and after the splendid contribution made by her to the winning of the European war, there was no necessity for passing an Act of the character proposed. It was objected that the Act conferred considerable power on the Executive uncontrolled by the Judiciary. It was maintained that the Defence of India Act clothed the Government with all the authority they would get under the new legislation and that there was, therefore, every reason for delay and for conceding an adjournment asked by the Indian members of the Legislative Council. The agitation against Government action took an acute form in the months of February and March both in the press and on public platforms.]

10. The criticism of Government in newspapers voicing extreme nationalist sentiment was particularly bitter and determined.

Press criticism.

In one paper, it was said :—" It is monstrous to say the least of it that legislation of that type should be introduced in India where British statesmen are so profuse in their talk of liberty and self-determination."

Another paper described the Bills as :—" a bare-faced attempt on the part of a bureaucracy which has been demoralised by the exercise of unrestrained power to interfere with liberty." In a third paper appeared a statement that " the new law would make honourable existence as uncertain as life in a plague infected area."

In its issue of 4th February 1919, the *Amrita Bazar Patrika* published in Calcutta said :—" the only parallel (to the Rowlatt Bills) in the civilised jurisprudence for such provision is to be found in the declaration of martial law in any area. And the parallel furnished by history is

that of a Nadir Shah on the pretext of some of his soldiers being killed in a bazaar affray making over the city of Delhi to the rapine, lust and blood-thirstiness of his brutal soldiery."

The *Bombay Chronicle* on 10th February had an article in which the following passage appeared :—" The Bills are dangerous to public safety, subversive of the rights of citizenship, improper for the subdual of revolution and a badge of crime and helotry on the people. India cannot and will not accept the mark of Cain on the forehead and be shamed among the nations of the earth."

The *Waqt* of Amritsar on the 22nd of March published a cartoon showing " the Secretary of State in the act of handing the order of liberty to India when a black cobra, released from a basket by Mr. Mr. Rowlatt, bites her." Some of the addresses delivered at the numerous meetings held throughout the province in protest against the Act were of a similarly extreme character.

False rumours.

11. Many false rumours as to the object and purpose of the Rowlatt Act were extensively circulated in the Punjab. As illustrations of these rumours the following may be noticed. It was said that people assembling to the number of 5 would be liable to be arrested by the police, that property would, to a substantial extent, be confiscated by the Government, that excessive fees would be levied on the occasion of marriages and that their personal liberty would be interfered with in other ways. A full list of the rumours so far as discovered by the authorities is contained in a document * submitted to us. The author or authors of these rumours have not been discovered. It is not said that they originated in statements made by political leaders, against whom the only complaint is that they did not take pains to correct these false rumours and to explain the nature of the Rowlatt Act and its provisions. The uneducated people were in ignorance of these matters. They were not aware that the Act would only be put in operation in districts where anarchical and revolutionary crimes were being perpetrated and would only come into operation on the Government of India giving its sanction to an application for powers under the Act made by the Local Government. The people believed the rumours and their indignation against Government increased. To them the Rowlatt Act became known as the Black Act, an Act which would seriously curtail their personal and individual freedom.

Passive Resistance.

12. In January the suggestion was made in the press that the leaders should prepare themselves for passive resistance in the event of the Rowlatt Bill becoming law and that a passive resistance movement should be set on foot in every part of the country. This proposal met with an enthusiastic reception although it was gradually realised that opposition confined to passive resistance would, in the case of the Rowlatt legislation, be ineffective.

* Evidence, Volume VII.

As the *Servant of India* expressed it on 6th March :—"If resistance is confined to the provisions of this particular legislation, there is little chance of a conflict arising with the authorities. One may passively resist the Rowlatt Acts for years without ever coming in the path of the police."

"Satyagraha."

13. Meantime Mr. Gandhi started his *Satyagraha* movement against the Rowlatt Act. The word "*Satyagraha*" is according to Mr. Gandh of modern origin, having been invented by him, and means insistence on truth and force derivable from such insistence. He says "the movement is intended to replace methods of violence. It is essentially a religious movement. It is a process of purification and penance. It seeks to secure reforms or redress of grievances by self-suffering." The true *Satyagrahi* therefore invites pain and suffering upon himself with a view to inducing Government to alter a measure to which he is opposed. On the 24th February 1919, Mr. Gandhi at Ahmedabad started his *Satyagraha* campaign against Government in connection with the Rowlatt Bills. He devised a vow in the following terms. "Being conscientiously of opinion that the Bills known as the Indian Criminal Law (Amendment) Bill No. 1 of 1919 and the Criminal Law (Emergency Powers) Bill No. 2 of 1919, are unjust, subversive of the principles of liberty and justice, and destructive of the elementary rights of individuals on which the safety of the community, as a whole, and the State itself is based, we solemnly affirm that in the event of these Bills becoming law and until they are withdrawn, we shall refuse civilly to obey these laws and such other laws as a committee to be hereafter appointed, may think fit, and we further affirm that in this struggle we will faithfully follow truth and refrain from violence to life, person or property."

The vow. 24th February.

Civil disobedience campaign.

14. On the 1st March a meeting of the signatories to the *Satyagraha* pledge under the presidency of Mr. Gandhi was held at Bombay to form a *Sabha* and appoint an executive committee. The following day Mr. Gandhi issued a manifesto inaugurating *Satyagraha* and civil disobedience to laws. In dealing with this movement the *South Indian Mail* (Madras) said :—"Mr. Gandhi has come to the conclusion that civil disobedience to law is the only remedy. This is passive resistance of a vigorous type." As Mr. Gandhi himself admitted to us at Ahmedabad, civil disobedience to laws is active disobedience and is the antithesis of passive disobedience. On 7th March, Mr. Gandhi attended a meeting at Delhi to protest against the Rowlatt Bills. At this meeting the names of 15 men and women who had taken the *Satyagraha* vow were read out. Similar meetings were held in many other towns. A scheme was proposed to have branch committees of the central committee appointed in every province, district and *taluk* for deciding what other laws than the Rowlatt laws were to come within the purview of the civil disobedience movement.

15. In furtherance of his *Satyagraha* movement against the Rowlatt legislation, Mr. Gandhi resolved to have a *hartal* throughout India. A day was to be set apart as a day of general mourning when no business was to be done. The day so fixed by him was to be the second Sunday after the publication of the Viceregal assent was given to the passing of the Rowlatt Bill. For those who came to know immediately after this assent was given the day would be the 30th March, for others the 6th of April. On discovering that the *hartal* might in this way be held on different dates, Mr. Gandhi sent out telegrams fixing the 6th April. As we have already described a *hartal* took place in several places on the 30th March, among others at Delhi where serious rioting occurred.

All-India "hartal" 30th March. 6th April.

The observance of the *hartal* on 6th April was very general and extended over a great many provinces. Large mass meetings of people were held in different towns and though no actual conflict between the police and the crowds occurred there were many signs of growing excitement and unrest among the people. It seems, however, to have been hoped by the Government that, with the successful conclusion of the *hartal* and the day of fasting on the 6th, agitation had achieved its objects and that no further demonstration would occur.

16. On the 8th of April, however, the Government of India received news from the Government of Bombay that Mr. Gandhi had announced to the Commissioner of Police that he had issued an unregistered newspaper and that a committee was sitting to decide what further laws were to be disobeyed. Instructions were sent to the Government of Bombay that if Mr. Gandhi and other leaders were guilty of a clear breach of law they should be arrested and prosecuted. On the 9th April similar instructions were sent to other Local Governments and a suggestion made that, if the passive resistance movement showed dangerous symptoms in any province, the Local Government might issue a manifesto regarding the necessity, object and scope of the Rowlatt Act, condemning those who seek notoriety by embarrassing Government, pointing to the moral of the Delhi incident, calling upon all sober-minded people to discourage the policy of embarrassing the Government, whatever their views might be on the Act, and making it clear that Government was determined to carry out the duty of maintaining the laws of the country and dealing rigorously with all movements that endanger the peace and prosperity of the great body of citizens.

Defence of law commenced. 8th April.

17. Mr. Gandhi left Bombay for Delhi on 8th April with the object of furthering his *Satyagraha* movement there and in the Punjab. The Government of India on learning of this journey by Mr. Gandhi communicated with the Lieutenant-Governor of the Punjab and the Chief Commissioner of Delhi. Both these gentlemen agreed that it would be extremely imprudent, not to say dangerous, to allow Mr. Gandhi to enter the territories under their jurisdiction. He had announced

Mr. Gandhi sent back to Bombay. 9th April.

that part of his programme consisted in breaking the law and they had no knowledge what laws he might choose to break. If he did break laws the authorities would have no option but to have him arrested. His arrest and trial would in all probability lead to rioting and violence. However opposed he might personally be to the use of force in the prosecution of his policy there was no reason for supposing that the uneducated people of the Punjab would be equally prepared to refrain from violent methods. As had already been pointed out by some of the prominent leaders of moderate opinion in India the promotion of the *Satyagraha* movement was likely to promote disorder and breach of the peace. In these circumstances, the Government of India authorised the Local Governments of the United Provinces, the Punjab and Delhi to issue orders under Rule 3 (*b*) of the Defence of India Rules (which requires the previous sanction of the Governor-General in Council) directing Gandhi to remain in the Bombay Presidency. As explained to us in the Government's memorandum "this sanction was communicated to the three Local Governments concerned and to Bombay by a 'clear the line' telegram of the 9th April, which contained a direction that all reasonable means to enforce the order should be used, but that Gandhi should be treated with every possible consideration and force should be used only if he refused to obey the order. He was to be informed that although at present his entering the Punjab or Delhi would be likely to promote disturbance and therefore could not be allowed, the Government of India would be willing to re-consider the position later, should he give an explicit undertaking to refrain from inaugurating a campaign to break the law and undertake not to promote such violation."

As already indicated Mr. Gandhi, who had disregarded a warning not to proceed in consequence of the above order, was arrested at Palwal and escorted back to Bombay Presidency. On his own admission he was treated with every possible consideration. At Bombay he enjoyed complete liberty except that he was not allowed to leave the Presidency.

Effects of Mr. Gandhi's arrest.

18. Following upon his arrest a *hartal* took place in many different towns, and the violent outbreaks to which we have referred occurred. A serious outbreak also occurred at Ahmedabad with which we deal in a separate part of our report. On hearing of the events at that place, Mr. Gandhi was greatly shocked and declared for the time being a suspension of his civil disobedience movement and expressed his readiness to obey all Government orders. With the permission of the Commissioner of Police he issued handbills inviting the public and the mill-hands of Ahmedabad to return to work. This advice was taken and order was rapidly restored there. In the Punjab, however, as we have seen, *hartals* continued to be held and outrages and acts of violence to be committed. In an open letter to Mr. Gandhi from Swami Shraddhanand, a follower or colleague of his at Delhi, occurs the significant passage :—"I am therefore convinced that under the present conditions in India, the civil breaking of laws without producing an

upheaval among the masses (for which neither you nor any *Satyagrahi* is morally responsible) is impossible."

In Mr. Gandhi's own manifesto * of the 18th April advising the temporary suspension of civil disobedience, he states :—" I am sorry that when I embarked upon a mass movement I under-rated the forces of evil and I must now pause and consider how best to meet the situation." Another passage is " we have found by bitter experience that whilst in an atmosphere of lawlessness, civil disobedience found ready acceptance, *Satya* (truth) and *Ahinsa* (non-violence) from which alone civil disobedience can worthily spring, have commanded little or no respect."

We have no hesitation in saying that both in the Punjab and elsewhere, a familiarity and sympathy with disobedience to laws was engendered among large numbers of the people by Mr. Gandhi's movement and the law-abiding instincts which stand between society and outbreaks of violence were undermined at a time when their full strength was required.

Peace terms with Turkey.

19. Other causes of unrest besides the Rowlatt Act agitation among the population of the Punjab cannot be left entirely out of view. Many Muhammadan Indians have felt great uneasiness about the possible fate of Turkey in consequence of her having espoused the cause of Germany in the Great War. The Turkish peace terms involving such questions as the integrity of the holy places of Islam and the *Khilafat* have roused keen interest among the Muhammadan population. At the meeting of the All-India Moslem League in Delhi at Christmas 1918, Dr. Ansari, a physician and one of the leaders of public opinion in Delhi, made a violent speech upon the subject of the *Khilafat* and the threatened dismemberment of the Turkish Empire. The character of this speech was such that the newspapers and pamphlet reports thereon were proscribed under the Press Act by certain Local Governments. On the 30th August 1918 at a Muhammadan meeting held at Amritsar Dr. Kitchlow made a violent pro-Turkish speech and one Maulvi declared that the time had come for a *Jehad*. He was, however, checked by the presiding Maulvi who said that the time was not yet. Sir Michael O'Dwyer who referred to this meeting explained that he received information from the Government of India that on 25th April 1919 a great Muhammadan meeting was to be held at Bombay at which it was said a *Jehad* was likely to be proclaimed. Feelings still prevail upon these questions and it is not necessary for us to go into the subject in greater detail.

High prices.

20. India, like many other countries throughout the world, has been affected by a feeling of unrest consequent on the termination of hostilities in the Great War. The continued high prices of the necessaries of life has been a cause of great discontent in the more densely populated towns. It was expected that when fighting ceased prices would return to the

* Evidence, Volume VI.

normal figures prevailing before the war. In their disappointment at finding prices tending to rise, rather than fall, after the armistice, people blamed the Government. The situation was aggravated by the bad harvest of 1919 caused by a failure of the monsoon. It was not possible for us to make an exhaustive or satisfactory inquiry into economic causes of unrest. We may note that in such a district as Gujranwala, Colonel O'Brien, the Deputy Commissioner, did not consider that unrest was to be attributed in any degree to economic conditions.

Recruiting.

21. It has been suggested that the methods of recruiting for the army sanctioned by the Punjab Government were largely responsible for the unrest in the province previous to the outbreaks. In our opinion this proposition is not established or well-founded. The Punjab during the war made very fine recruiting efforts. Recruits were, however, mainly obtained from country districts. Comparatively few joined the army from the towns where the disturbances broke out. Large numbers of demobilised men were returning to their homes in April and they do not seem to have shown any sympathy with the agitation. As regards methods of recruiting, it would appear that an intensive campaign was conducted in many districts by the district officers, and there were instances of reprehensible means of securing recruits having been adopted by over-zealous individuals. In the cases that were referred to us it was shown that such methods when brought to the notice of the higher officials were discountenanced. Dealing with this subject, Sir Michael O'Dwyer says :—"Naturally we did everything good to promote recruiting and popularise it, both by working on every legitimate feeling which would rouse the martial spirit in the people by appealing to their race, their traditions, to the benefits of the army, to their past deeds and so on. And on the whole, it was very successful. No doubt some had exceeded the limits and may have used pressure. Of course anything of that kind brought discredit in this connection. I may say that in regard to recruiting we associated with and invoked the assistance of the leaders of the great martial races in the Punjab—Sikhs, Muhammadans and Hindus, and these were largely successful in obtaining a strong local recruiting unit composed mainly (of course officials were also on it) of non-official and leading men in the district." The recruiting details were largely left to the local authorities. The system by which a quota was fixed for each village and the methods employed in some cases to secure the requisite number were entirely a local, not a Government, arrangement. Sir Michael says :—"I think over and over again in various places I deprecated any coercion being used and any improper methods being used. I deprecated the buying of recruits. But I can say this, that the policy of the Government in the matter of recruiting was generally fixed by the Recruiting Board, which included a very large percentage of Indian gentlemen, and it was invariably impressed, I think, on the members of that Board, and I think you will find it in the proceedings, that these improper methods were to be discredited, for instance, the purchasing of recruits and any other

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mproper methods." To the suggestion that unnecessary prosecutions were brought under certain sections of the Code of Criminal Procedure so as to give men so summoned the option of joining the army as an alternative to punishment, Sir Michael says: "As far as I know no prosecutions under sections 107 and 110 were authorised either by Government or by any officer of Government with the object of obtaining men for the army; that is as definite a statement as I can give. But I think it would be a very interesting analysis, if the Committee had time to make it, to take the figures of the fighting men supplied by the Punjab during the war by classes and take the figures of the men convicted in these disturbances and see how very few of the people convicted in these disturbances belong even to the classes which supplied our fighting men."

War Loans.

22. There is even less ground for attributing unrest in the province to any action taken by the Government in connection with the War Loan. As in the case of recruiting there may have been over-zealous officials who resorted to objectionable methods of persuasion, but there is no ground for imputing blame therefor to the Local Government. In one case an official disposing of an objection to the imposition of income-tax said "the man has supplied no recruits, he has not given any subscription to war loan or relief funds and the application is rejected." The officer in question was apparently severely reprimanded, but he appears to have dealt with the case on its merits, and only to have put in the fact as a sort of additional fact. There is no ground for alleging, as appears to have been done, that, with Government sanction, instructions were issued to assessors of income-tax that they should get increased income tax from persons who were supposed not to have made satisfactory contributions to the war loan.

Conspiracy.

23. On the evidence before us there is nothing to show that the outbreak in the Punjab was part of a pre-arranged conspiracy to overthrow the British Government in India by force. On the other hand, the Punjab Government had been advised by their legal advisers that the *Satyagraha* movement amounted to an illegal conspiracy against Government. We believe that Mr. Gandhi is honestly opposed to the employment of force or violence in the prosecution of his aims. But the general teaching of the doctrine of civil disobedience to laws to masses of uneducated men must inevitably lead to breach of the peace and disorder. Apart from the use of force, civil disobedience to laws if extensively preached and practised would mean the paralysis of Government. As was said in the *Waqt* "If the entire country resorts to passive resistance where is the Government that will withstand it? There can be no need for wielding the sword, because the *Satyagrahi* does not offer physical resistance."

In the situation as it presented itself day by day to the Punjab Government, there were grounds for the gravest anxiety. Within

recent years there had been two revolutionary movements, *i.e.*, the *Ghadr* movement and the Silk Letter Conspiracy of 1916. It was difficult, probably unsafe, for the authorities not to assume that the outbreak was the result of a definite organisation. Apart from the existence of any deeply laid scheme to overthrow the British, a movement which had started in rioting and become a rebellion might have rapidly developed into a revolution.

CHAPTER X.

Declaration of Martial Law.

1. By article 2 of the Bengal Regulation 10 of 1804 the Governor in Council is entitled to direct any public authority or officer to order the suspension, wholly or partially, of the functions of the ordinary Criminal Courts of Judicature within any part of the British territories subject to the Government and to establish martial law therein "for any period of time while the British Government in India shall be engaged in war with any native or other power, as well as during the existence of open rebellion against the authority of the Government, in any part of the territories aforesaid." The territories referred to include the Punjab.

Bengal Regulation, 1804.

On 13th April 1919 the Lieutenant-Governor of the Punjab, with the concurrence of the General Officer Commanding the 16th Division and Chief Justice, High Court, requested the Governor General in Council to direct him to "suspend function of ordinary Criminal Courts in Amritsar and Lahore districts, to establish martial law therein and to direct trial of offenders under the Regulation of 1804, *i.e.*, by courts-martial." The authority so asked was granted with the intimation that an Ordinance would be published the following day substituting for trials by courts-martial, trials by Tribunals similar to those under the Defence of India Act but with the powers of Field General Courts-Martial. This communication from the Viceroy was received by the Lieutenant-Governor in the evening of 14th April and a proclamation of martial law was made at Lahore and Amritsar on 15th April. Similar applications were made in respect of Gujranwala on 15th April, Gujrat on 18th April and Lyallpur on 20th April. Sanction having been given to the declaration of martial law as asked, proclamations to this effect were made in these districts on 16th, 19th and 24th April respectively. Martial law was withdrawn from Gujrat civil area and from certain parts of the other affected areas on 28th May 1919. At the conclusion of a Durbar held on 7th June at Amritsar, the Lieutenant-Governor announced that, except on the railway, martial law would be discontinued at midnight on the 9th in the districts of Amritsar, Gujranwala and Lyallpur and at midnight on the 11th at Lahore. It was finally withdrawn from railway lands on 25th August.

2. In terms of section 72 of the Government of India Act, 1915, "the Governor General may, in cases of emergency, make and promulgate ordinances for the peace and good government of British India or any part thereof and any ordinance so made shall for the space

Government of India Act, 1915.

of not more than six months from its promulgation have the like force of law as an Act passed by the Governor General in Legislative Council." Acting under the powers conferred upon him by this Statute, the Governor General by Martial Law Ordinance No. 1 of 1919 provided that every trial held under the Bengal State Offences Regulation, 1804, should, instead of being held by a court-martial, be held by a commission consisting of 3 persons appointed in this behalf by the Local Government, which was to have power to appoint as many commissions for this purpose as it might deem expedient. At least 2 of the members of each such commission were to be persons who had served as Sessions Judges or Additional Sessions Judges for a period of not less than 3 years or persons qualified under section 101 of the Government of India Act, 1915, for appointment as Judges of a High Court. The Commission was to have all the powers of a general court-martial under the Indian Army Act, 1911, and subject to the provisions of the Ordinance was to follow, so far as might be, the procedure regulating trials by such courts-martial.

Ordinance No. III.

3. Under section 3 of the Regulation of 1804 the only penalty that could be imposed by a court-martial upon a person found guilty of the crime of rebellion was death, a sentence involving forfeiture of all the criminal's property and effects. The Government of the Punjab pointed out to the Government of India that there would be many guilty persons whom it was not desirable to sentence to death and that provision should therefore be made by Ordinance for minor punishments. Accordingly the Governor General issued Martial Law Ordinance No. III of 1919 providing that any court-martial or commission convened under the previous Ordinances might, when convicting any person of any of the crimes specified in the Regulation of 1804, sentence such person to transportation for life or for any period not less than 10 years or to rigorous imprisonment for a term not less than 7 years and not exceeding 14 years. No person so convicted was to be liable to forfeiture of property unless such court or commission so directed.

Ordinance No. IV.

4. On 16th April 1919 the Government of the Punjab wired to the Government of India urging that Ordinance I should be amended so as to cover offences committed on or after 30th March, the date on which trouble began in Delhi. In a further wire on 19th April they pointed out that the Amritsar murders occurred on 10th April and those at Kasur on the 12th. "Lieutenant-Governor considers it most desirable that these cases should be tried by commission under the Ordinance. Meetings which helped to prepare the ground for the rebellion took place on the 30th March at Amritsar and on 6th April at Lahore. The first riot in Lahore occurred on the 10th and on the 11th there was a mass meeting in the Shahi Mosque at which inflammatory speeches were made. Evidence is coming in which tends to show that emissaries from outside province visited Punjab shortly before outbreaks in various places. His Honour fears that, if date 13th is allowed to stand, it may be impossible to use the Ordinance against those with whom the real responsibility rests."

To meet these cases the Governor General on 21st April passed Ordinance No. IV of 1919 which provided that "notwithstanding anything contained in the Martial Law Ordinance, 1919, the Local Government may by general or special order direct that any commission appointed under the said Ordinance shall try any person charged with any offence committed on or after the 30th March 1919 and thereafter the provisions of the said Ordinance shall apply to such trials accordingly, and a commission may pass in respect of any such offence any sentence authorised by law." An appeal has been taken to the Privy Council by some of the accused, who were convicted by the commissions in which, among other points, it is maintained that it was not within the power of the Governor General to give the tribunals set up by him power to try offences other than those mentioned in the Bengal Regulation or any offences committed after 30th March and before the first acts of violence occurred. This is not therefore a matter upon which it would be proper for us to express any opinion.

Commissions.

5. Four commissions were set up in Lahore to try offences under the Regulation of 1804 as extended by the Ordinances. They tried 114 cases involving 852 accused. Of these 581 were convicted, the majority of convictions being recorded under section 121 of the Indian Penal Code (which deals with waging war against the King-Emperor). One hundred and eight persons were sentenced to death, 265 to transportation for life, 2 to transportation for other periods, 5 were sentenced to imprisonment for 10 years, 85 for 7 years and 104 for shorter periods. Substantial alteration of these sentences was made by the Local Government. Of the 108 death sentences only 23, including 5 where execution has been stayed pending an appeal to the Privy Council, have been maintained. Of the remaining 85 sentences 23 have been commuted to transportation for life, 26 to rigorous imprisonment for 10 years, 14 to 7 years, 1 to 6 years, 10 to 5 years and 11 to periods ranging from 1 to 4 years. Of the sentences of transportation for life 2 only were maintained, in 5 the Government ordered immediate release of the convicts, while the remaining 258 sentences were commuted to terms of imprisonment, 2 of them for 10 years and the remainder for periods ranging from 1 to 7 years. Two sentences of transportation for 14 and 10 years respectively were reduced to 3 years' imprisonment. Of 191 effective sentences of imprisonment the sentence was allowed to stand in 53 cases, in 2 cases the convicts were released and in the remaining 136 cases reductions were ordered, the average period of sentence before and after reduction being approximately 5¾ to 1¾ years respectively. Further alterations have been effected under the King-Emperor's proclamation dated December 23rd, and as a result of the recommendations of the commission of Mr. Justice Chevis and Mr. Justice Mullick, who were appointed under instructions conveyed in a letter dated 23rd September 1919, from the Government of India, Home Department, for the purpose of reviewing the sentences passed, in connection with the disturbances by Summary Courts appointed by the martial law authorities.

CHAPTER XI.

Reasons for Martial Law and its continuance considered.

Position under Regulation and Ordinance.

1. The question whether the Government of the Punjab was justified in applying to the Government of India for authority to declare martial law under the Bengal Regulation of 1804 is one of great general importance. Ordinance I of 1919 commences with the recital that "the Governor General is satisfied that a state of open rebellion against the authority of the Government exists in certain parts of the Province of the Punjab." This recital is in terms of the Regulation and the language seems reasonably clear and free from technicality. If there is room for any modification of its ordinary meaning when the Regulation is construed as a whole, the specific intention or particular value of the language must be left by a committee such as ours for determination by a court of law. We understand that this and other similar questions which bear or may be thought to bear thereon, are already before the Judicial Committee of the Privy Council.* In declining to anticipate their decision by any opinion which we could form for ourselves without the advantage of legal argument, we desire to guard ourselves against any suggestion that we view as unimportant the question of the legality of the form in which martial law was declared. On the contrary, it is a question of distinct moment whatever be the way in which the answer has to be made. If martial law has to be declared, it is still an evil which will be made worse if it is introduced irregularly. On the other hand, if there is statutory authority and provision covering the case, there is great advantage both for the people and for the Government in the use of a power which is regularised and can be the more readily examined. In this case considerable modification of the old machinery was necessary and was made by special Ordinances: in the end the Regulation of 1804 was left as the authority only for the introduction of martial law as such. In our opinion it was right and wise to proceed as to this fundamental matter under statutory authority, if that authority was applicable to the facts.

Question of substance.

2. The question of substance is, however, greater than the question of legality of method. On the one hand, it is clear that what the Bengal Regulation confers is a power. That the power itself arises only upon certain conditions is an element which does not convert a discretion into a command. The

* After the draft of this Report had been sent to press a cable message was published intimating that one of the appeals had been dismissed.

power is given because, in the language of the Regulation itself, "it may be expedient" that it should be used. It does not seem impossible upon any view of what constitutes "open rebellion" that this condition should exist and yet should be confined to so few persons, or otherwise should be so little formidable, as not to justify the introduction of martial law.

If, on the other hand, it was necessary and right to resort to martial law, the conduct of the Government is justified in principle and intention: any error which could be shown to exist is an error of method. Though not without a real importance as we have already shown, a mistake in method is of less importance: it would mean at most that a special Ordinance was necessary and should have been passed.

Answer to question whether there was open rebellion.

3. We propose, therefore, in the first place, to give our answer to the question whether, in the districts affected, there was, or was not, a state of open rebellion against the authority of Government. If this question be put in its ordinary meaning and answered in point of substance, we think that it will be found upon consideration to determine the question as to the justification for introducing martial law. It is a question of fact, and, on the information submitted to us, we think that the answer should be given in the affirmative. As a description of the occurrences to which we have called attention in our narrative of events, "open rebellion" is, we think, apt and accurate: as a question of inference it appears to us to be the natural and the only inference. The element of rebellion as distinct from mere riot on the one hand and from political opposition to Government on the other, can be traced throughout: in what sense it may be considered to lack openness we have failed to discover.

Survey of incidents.

4. On 10th April at Amritsar the mobs had burned Government buildings because they were Government buildings. After the first few minutes, they had murdered all Europeans on whom they could lay their hands except Miss Sherwood whom they left for dead upon the street. They had hunted for Mrs. Easdon and the officers of the Chartered Bank: the other bank managers were sought out in their offices and killed with every circumstance of brutal rage. They were not even Government officials. But the *Raj* is a British *Raj*: they were in some sense its representatives or symbols, and for this they were murdered. The railway and the telegraphs were attacked partly as Government institutions and partly to paralyse Government by preventing news, by derailing troops and otherwise immobilising the forces.

The Amritsar incidents may be regarded as the high-water mark of the disorders, though the outbreak at Kasur on the 12th is hardly distinguishable. Gujranwala on the 14th exhibits the same *anti*-Government features though not the same opportunity for attack on unofficial Europeans. The acts of the mob at Lahore upon the 10th were less serious, but the occurrences there between the 10th and the 13th show an equally marked defiance of constituted authority and a direct relation

with the Amritsar outbreak. The disturbances as they spread along the railway line vary only in degree and as opportunity varied. Here and there the element of a desire for loot can be traced, but it was never the main motive force of the disorders which had a public and general object throughout. An intention to paralyse the arm of Government by extensive destruction of Government buildings and of means of communication can hardly find vent in practice upon a considerable scale and at the same time fall short of open rebellion. Where the Government is British and a comparatively insignificant number of the inhabitants are Europeans, most of them Government servants, and this intention is seen to culminate at prominent points in a murderous attack on Europeans simply as such, it may be said with some certainly that the Government so attacked is in face of an open rebellion in all reasonable implications of the phrase.

Broad features of disorders.

5. After all, the question is not one of words but of substance. The power of the ordinary law to preserve order lies, not in ability to enforce itself on every subject, but in the fact that with all subjects, save a few, no need of enforcement will arise. It depends upon the law-abiding instincts of the great majority and upon the authority of Government being a received fact. In India at present, ordinary methods of government depend for their possibility—not merely for their efficiency—on the existence of this relation between people who are Indian and a *Raj* which is British. This fact and others which might be mentioned, *e.g.*, the absence of a clear-cut distinction between the government of the day and the Government or *Raj* in the general sense, make the relation more liable to interruption temporarily and locally. Such interruptions are doubtless more natural and more forgiveable, by reason of these facts; and we have already noted certain special features of the time which reinforce this consideration. But by reason of the same facts the interruptions are more, rather than less, perilous when they have happened; and in any case they call for swift and certain action. It is idle to rely upon authority alone to cure defiance of authority; or upon time, which may heal, but will almost certainly spread, the damage. The destruction of Government buildings, railways and telegraphs is perhaps the broadest feature of the disorders in these districts of the Punjab. Its significance for the present purpose is two-fold: *first*, in its bearing upon the existence or non-existence for effective purposes of received authority; the extent to which this had been undermined or breached; the openness, persistence and rage with which it was defied; and *secondly* the extent to which the resources of Government for defence and for restoring order had already been or were likely to become impaired.

Significance of disorders.

6. We think that the introduction of martial law, as a question to necessity or of policy in the true sense, must be judged from this standpoint. In holding that the position to be dealt with was a state of open rebellion, we intend to attribute no magic to a phrase which we employ as applicable, and not

more than adequate, to realities with which the Government was faced. We agree with the view which we find expressed in a letter dated 18th April 1919 by Mrs. Besant to the "Times of India":—

> "The cutting of telegraph wires, the derailment of troop trains, the burning of railway stations, the attack on banks, the setting free of jail birds, are not the action of *Satyagrahis*-nor even of casual rioters, but of revolutionaries."

Use of arms.

7. In this connection, we would refer shortly to two matters upon which some stress has naturally and properly been laid. The first is the question of arms. If it is meant as matter of construction of the Regulation of 1804 that "the existence of open rebellion" refers to armed rebellion only, this question affects the legality of the way in which martial law was introduced, and we leave it for decision to a competent court. As a matter of substance and from the standpoint indicated above, it is unnecessary to discuss any verbal questions as to whether mobs provided with *lathis* are armed or not. This weapon was not the only one proved to have been used, but though Sergeant Rowlands was killed with a straining screw, it was with *lathis* and with stones that the mobs made their attacks. For cutting wires and for tearing up the railway line appropriate instruments seem to have been obtained in plenty, and much destruction was done with matches and kerosene oil. It is true and ought to be stated that houses of license-holders do not seem anywhere in the Punjab to have been raided for arms. Still, in these circumstances, the question of arms seems to arise only in its bearing upon the degree of danger inherent in the disorders and the degree of difficulty in coping with them. That both might have been greater is a fact which still leaves both to be truly reckoned. This involves many other factors besides the presence or absence of weapons of precision. The attack upon railway and telegraph systems was an attack upon Government at a very well-chosen point, a shrewd and modern method, probably the most effective that could have been chosen to effect the purpose of reducing to impotence the few Europeans on the spot and the power of Government to help them. It was a very good beginning for any form of action against Government and a necessary preliminary to the rise, growth and spread of any movement of the sort. It was also a form of damage more likely to attract recruits than older fashioned and bolder courses. It was essentially a form of outrage which had to be met by prompt and drastic measures and in any event was difficult to put down quickly. It was accompanied by circumstances that increased both the danger and the difficulty. Attempts were being made to induce the police force, and, in some cases, the soldiers, to refrain from action. False rumours were in circulation that troops had mutinied and that Lahore Fort had been captured, that the Golden Temple at Amritsar had been bombed and that some Sikh girls had been subjected to the indignity of being searched by British soldiers for *kirpans*. The latter rumours which were without any foundation were manifestly circulated

with the object of inflaming the Sikh population and soldiers and getting them to waver in their loyalty to the King-Emperor.

Absence of antecedent conspiracy.

8. The second matter that requires attention here is the fact that we find no evidence in the material before us of antecedent conspiracy as the mainspring of the disorders. From what we have already said as to causes, it will be apparent that underlying these disorders as they broke out, there was at least one force, more legitimate than a conspiracy but equally, if not more, potent to spread and to maintain the danger.

The intensity of the resentment over the Rowlatt Bills, though created in the minds of many by false rumours, and though encouraged at least up to the verge of lawlessness by the civil disobedience movement, would have been of itself no justification for martial law. But when other causes, some special to the Punjab, had combined to cause this resentment to erupt in outrages and violence in the main towns and in the railway areas, these had to be viewed as manifestations of its intensity and strength, and as striking proof of the height to which it had raised the general unrest.

Governor's position.

9. The absence of fire-firms and the absence of evidence of antecedent conspiracy do not lead us to the conclusion that it is straining language or exaggerating fact to describe as open rebellion the forms of violence and outrage that were present. It is well said in Mr. Mayne's work on "The Criminal Law of India" (4th edition, page 279) :—

> "The Governor who waits to recognise a rebellion till it looks like a war will probably find that he has waited too long. That which distinguishes a riot which is the beginning of waging or levying war, from a riot which will end in plunder and broken heads, is the object with which it started. That is the principle of English law and although the application of the principle is always difficult and has often been too severe, it seems that the principle itself is sound and that there is no country in which it is so necessary to enforce it as in India."

Danger of criticism of isolated events.

10. It is possible to take each disturbance and even each phase of the same disturbance separately and to minimise it in detail; the smallness of each beginning; the fewness of the persons convicted in the end; the possibility that something may be attributed to action taken by the officer on the spot; signs that this gang or that mob were becoming satiated; the fact that the mob that murdered *A* might earlier have murdered *B* and did not. Criticism on these lines may have its place. But for the purpose of showing that the disorders fairly viewed were either so small in extent, so little formidable, so easy to repress, or so incapable of spreading, lasting and growing from bad to worse as to make unnecessary or oppressive the exercise of powers appropriate to cope with open rebellion in the serious and substantial sense, such criticism has to go a very long way and does not seem to be proceeding in the right direction. It appears to us to leave out of account many

things merely because it has chosen to proceed by analysis. Again and again small beginnings developed at once into outrages by large mobs: this is a fact which has both a cause and a consequence. Hundreds have been convicted: hundreds more have gone undetected: beyond these again there were on more than one occasion, *e.g.*, in Amritsar, masses of people whose presence was the chief factor rendering powerless the authorities—apparently without giving power to themselves to crush the most violent disorders or even to prevent brutality. Apart from such features, it is a patent fact that the disturbances were not isolated. They resulted from the same underlying causes and they spread over a wide area embracing large towns. The outbreak at Amritsar on the 10th was itself a chief precipitating cause in other places.

Military force in aid of civil power.

11. Even acts of rebellion may, in some circumstances, be suppressed by the civil power with the aid of the military but without introducing a martial law régime. It is not, however, a practicable method to have the military placed under the civil power for constant action over an extended area or for a lengthened period of time. Such aid when given is to quell riot, to disperse or prevent unlawful assemblies, to effect arrests. The application of military force from time to time to effect particular purposes of this character will suffice only upon the condition that the authority of Government will in the main be respected. When this condition is not fulfilled, such action tends to become more sporadic and irregular, as well as much more ineffective, than martial law. The military do not take command of the situation and the civil power cannot. We think that it would have been imprudent of the Government to treat the different occurrences as so many independent and isolated riots. As Mr. Thompson put it in his evidence, they had to view the situation from the standpoint of the province as a whole and of the probability of a recurrence of the events which had occurred. That the circumstances called for the giving of special powers to officers on the spot, for some special arrangements as to trial of the numerous offenders, and above all, for a swifter and more certain power to enforce orders in the immediate future was an inference which no Government could fail to draw. The Punjab Government, as we think wisely, did not embark upon an attempt to set up the main features of such a régime by an elaborate use of the Defence of India Act, which includes certain powers to delegate authority. Any such attempt would have broken down in practice: it would have prevented martial law in name only; caused as much bitterness as martial law need have caused; and left to a new and doubtful experiment the solution of an urgent and vital problem. The military would have had no chance of efficiency in such a task and the evils of an exceptional régime would have been at their worst.

Special districts.

12. As regards the extension of martial law to Gujrat and Lyallpur districts, special considerations apply. In neither district were the actual outbreaks so serious as in the others and in both it is clear that disturbances were

preading in imitation of or by contagion from Amritsar and Gujranala. The form which seemed to spread most easily and which threatned to become the gravest was the attack upon the telegraphs and ilway.

13. In Gujrat the disorders were in fact spreading northwards along the railway line and the line to the North-West Frontier Province, at all times important, nay at any moment become vitally essential. Wire-cutting had broken ut in the district. The station at Gujrat had been attacked on the 5th and the offices set on fire : at Malakwal on the 16th a section of the ne had been taken up and thrown down the embankment so as to scape the notice of engine-drivers ; a train had in consequence been erailed next morning, the engine overturned and two lives lost Report eached the Government that at Lala Musa a meeting had voted for the rning of all public buildings ; and elsewhere the preliminary signs unrest were cropping up, though not as yet accompanied by violence. y the 16th the disorders in their worst form had reached even further orth than Gujrat district : at Kala which is north of Jhelum, a train Rawalpindi had been derailed.

Gujrat.

At Gujrat troops had been asked for on the 14th and a British officer 70 men arrived early on the 15th. A company with a Lewis gun been sent to Lala Musa in response to a wire from the stationmaster ho anticipated trouble. From Lala Musa 120 men were got to Gujrat y midnight of the 15th-16th. On the 15th also, some troops were sent o Rasul, where the students of the Engineering College were showing igns of giving trouble, and two platoons under a British officer were ent to Malakwal. Both the attack on Gujrat station on the 15th and he tearing up of the line at Malakwal took place after troops had already eached these centres : the train-wreckers at Malakwal on their way ack were actually challenged by a British officer and a sentry, but, as e are told by the Deputy Commissioner in his written statement to us, hey said they were looking for a lost buffalo and were allowed to pass. At Malakwal, in spite of the presence of some 60 Indian troops under a British officer, it was considered advisable to remove a party of 12 omen and 3 children to Jhelum on the evening of the 16th. A strong rce was sent to Malakwal on the 17th. Small guards were sent to arious stations and, on the 19th, some cavalry were sent to Gujrat or the purpose of showing themselves in surrounding villages. These spositions were made by or under the authority of the General Officer ommanding, Jhelum Brigade, who had his hands full not only in providing for the needs of Gujrat district, but in taking similar measures to prevent disorders on the line north of Jhelum.

The eastern half of Gujrat is a congested district of small holdings : olitical activity seems to have been at a minimum : newspaper agitation was entirely absent. The rural population was not implicated in the disorders : they helped willingly in patrolling the railway line : they were chiefly concerned with getting in the harvest and showed no sympathy with any phase of the movement that was causing the disorders.

The actual rioters were chiefly, but not wholly, from among the lowe orders of the town populations. There were distinct reasons for thinking that the railway staff was specially infected both in Gujrat distri and further north.

The Punjab Government was receiving in Lahore the most rapid intelligence from the railway and from other sources as to the occurrences all over the province. On the 16th April, it had written to Simla on the representation of the Agent, North-Western Railway, requesting that the Regulation of 1804 might be applied to railway lands throughout the province in view of the persistent attempts upon the railway and telegraph wires. The Government of India rejected this proposal on the 18th April, in view of the difficulty created by portions of the railway running through Native States and the undesirability of transferring all railway control from civil to military hands. On the 18th however, the Punjab Government took action as to Gujrat district and wired to Simla as follows :—

> "Lieutenant-Governor requests that Bengal State Offences Regulation, 1804, should be extended to district Gujrat. Train derailed between Lala Musa and Malakwal : fireman and one third-class passenger killed. Mob at Malakwal prepared wreck station but dispersed by bayonet charge. Muhammadans of Lala Musa voted in mass meeting 'burn all public buildings.'

The Government of India had been daily in receipt of serious news all pointing in the same direction. Thus on the 16th the attack on the railway at Chuharkana and the dismantling of the line between Bahalika and Sheikhupura had been reported, together with other news as to false rumours being spread that damage had been done to the Golden Temple and as to disorderly elements in rural areas taking advantage of the disturbances to loot trains. On the 17th, disquieting news was received from Peshawar, and from the Punjab reports came of the derailment at Khala, the cutting of telegraph lines from Rawalpindi to Murree and of the strike of telegraphists at Kundian. In these circumstances on the 19th April, the Government of India sanctioned the extension of the Regulation of 1804 to Gujrat district. No Ordinance under section 72 of the Government of India Act was necessary, as section 3 of Ordinance No. II of 1919, gazetted 16th April, had provided sufficiently for any further extensions under martial law being made by order in writing.

This action was communicated to the Deputy Commissioner, Gujrat, by 20th April and on that day he wired to the Local Government :—

> "Surprised to be informed by Government that martial law has been extended to Gujrat. The district is quiet. General, Brigade, Jhelum, has received no orders and agrees with me that martial law is not necessary."

The Deputy Commissioner, Mr. H. S. Williamson, when examined before us stated that by the time martial law was proclaimed, there was no riot or disturbance : they had ceased. He said that martial law was not necessary for the quelling of riots or disturbances, but as a pre-

caution against further trouble he thinks it was very wise. It was known, he says, to the Government at the time very much better than to him, whether disturbances from Wazirabad or Gujranwala were likely to increase so as to come into his district and cause trouble there.

There can be no doubt that, as Sir Michael O'Dwyer tells us, the Punjab Government's decision was primarily in the interests of railway communications. As regards the railway junctions and the railway areas in Gujrat, sufficient had certainly happened to show that if Government did not take timely action to prevent the further spreading of violent disorders upon the railway, it would be failing in its duty. It may be that, if it had been practicable to impose martial law upon all railway lands in the Punjab at the very beginning of the trouble, this measure would have sufficed in districts such as Gujrat. As it was, the disorder not only spread to Gujrat upon the railway, but very much further north.

The extension of martial law to this district if it had involved an interference with village life throughout the whole of this wide area, would probably have been excessive as a means of dealing with what had occurred or was likely to occur. It is quite clear, however, that martial law, nominally instituted over the whole district, was not enforced in practice, except upon the towns in the railway area. To a greater or less extent this may be said of all the five districts, in which martial law was proclaimed, but it is particularly true of Gujrat. The Deputy Commissioner informed us that the introduction of martial law did not affect the rural population and did not reach them except to a very small extent. The orders issued under martial law show that civil patrols of the railway, begun before martial law, were continued under it till the 19th of May : the villagers did this work willingly and well. An order threatened severe reprisals for any further railway damage upon towns or villages in the neighbourhood of the occurrence : no action of this sort was in fact taken. The military restrictions upon travelling were more severe than the general railway booking restrictions, including 1st and 2nd class Indian passengers as well as 3rd : this appears to have been the main interference with the ordinary liberties of the rural population proper, as distinct from towns or villages on the railway when signs of disturbance had broken out.

Even in Gujrat city there were few special orders under martial law. There was a special *salaaming* order upon which we make some comment later, and parades of schools to salute the flag were held. There was also some attempt to control prices of sugar, meat and milk. But there were no cases in the whole district, where persons were dealt with by summary courts under martial law for an offence prior to the establishment of martial law, and offences against martial law proclamations were mostly trivial and the offenders lightly dealt with. As stated elsewhere in this report, the number of persons who were arrested, but not brought to trial, is 23, and of these more than half were detained for less than 3 weeks. The Tribunals established under Ordinance I of 1919 were used to deal with several cases involving a considerable number

of people in connection with disorder at Gujrat station, the cutting of wires, riot and mischief at Jallalpur Jattan, and the Malakwal derailment case. In the circumstances, we think it was desirable that these trials should be conducted by the same Tribunals as were dealing with similar matters throughout the other districts.

Lyallpur.

14. The case of Lyallpur district is similar in its main features, though not in detail. It is a canal district entirely colonised by settlers, very largely Sikhs, with a strong element of military pensioners. It is very prosperous and independent, but inclined, in times of disturbance, to break out. Along the railway are a series of markets in close touch with Amritsar and other places and apt to become ready centres for agitation and excitement. The disturbances had originated first in the town of Lyallpur itself. We have already described their character. From the first, as the posters from which we have quoted show, the movement in Lyallpur was viciously *anti*-European as well as *anti*-Government. Before the outbreak had taken a very violent form, threatening mobs had been assembling for two or three days and trouble was boiling up. The Deputy Commissioner at first handled the situation by calling in the sowars and the Indian officers from the local Grass Farms. The number of Europeans was large and they were collected together for defence on the 14th. In the end, the Sikh villages become affected, and there was continuous tampering with the line. On the 20th April, the General Staff, of the Second Division at Rawalpindi, wired to the Punjab Government as follows :—

> " As disturbances continue in Lyallpur district, and telegraph wires are constantly being cut, request that district be proclaimed under martial law."

The Commissioner and Deputy Commissioner were consulted and joined in this recommendation. On the 21st April, the Punjab Government wired to Simla as follows :—

> " Deputy Commissioner, Commissioner and General, Division, in view of disturbance and constant cutting of telegraph wires in Lyallpur district recommend extension of martial law to that district. Flying Column visited Jarranwala yesterday and made some arrests. Fourteen of gang who wrecked wires at Janiwala arrested by police. Canal wire cut in Toba Tek Singh Tahsil. Arrests expected in case of cutting wire near Ghati station. *Hartal* at Lyallpur and Gujrat. Strong *anti*-British posters and conduct. Other incidents already reported. Lieutenant-Governor strongly supports recommendation."

On the 22nd, the Government of India, which had already received on the 20th news of serious trouble at Sangla and Sargodha, sanctioned this request and made the necessary order.

Having regard to the well-known fact that Lyallpur was particularly susceptible to infection from the central Punjab where the homes of

the colonists and their trading relations were established, we think, in this case also, that the Punjab Government were justified in taking the view that the extension of martial law was the best means of bringing the disorders to an end.

As in Gujrat, rural life was little affected by the measure taken. We were informed by Mr. V. W. Smith (Indian Police), who gave evidence before us that martial law had no effect in any place except Lyallpur, although in the matter of travelling by rail, it brought with it certain restrictions. These restrictions, however, were for the most part necessary for other reasons, and in any case, were highly advisable. Things were practically normal in the villages and in the smaller towns. Such exceptions as we can find refer to the railway patrols, the confinement of certain suspects to their villages and the arrest and punishment of two village *lambardars* for failing to give information. It was only at headquarters that any notices were issued under martial law. The only case dealt with by the Tribunals under martial law is the attempt upon the railway line at Chak No. 150. Petty rioting, cutting of telegraph wires, disorderly demonstrations, were dealt with by Summary Courts.

We think that it is impossible, without laying down wrongly that Lyallpur as a district should have been considered apart from Gujranwala and Amritsar and as though the trouble which had to be located and stamped out was not of one piece throughout all its extent, to consider the action of the Punjab Government with reference to Lyallpur as unwarranted or in excess of the necessities.

Standpoint of Punjab Government.

15. The action of the Punjab Government in requesting authority from the Government of India to declare martial law must be judged in the light of the circumstances as they presented themselves at the time to those in authority. The view-point of that Government was presented to us by Sir Michael O'Dwyer and the Chief Secretary, Mr. Thompson.

They explained that the Punjab is practically the recruiting ground for India. The people are of a more martial emperament than those in other parts of the country and are more readily influenced by agitation to take action. In the Rowlatt Report, it was said: "With the high spirited and adventurous Sikhs the interval between thought and action is short. If captured by inflammatory appeals they are prone to act with all possible celerity and in a fashion dangerous to the whole fabric of order and constitutional rule." The violent agitation against the Rowlatt legislation accompanied by *hartals* and the teaching of civil disobedience to laws among such people was fraught with great danger. Within the last few years, there had been two revolutionary movements in the Punjab—the *Ghadr* movement and the Silk Letter Conspiracy. The unrest in the Muhammadan world over the fate of Turkey, the threatened strike on the railways and difficulties with the army, were all subjects that were engaging the attention of Government

and indicated the necessity for prompt action to deal effectively with the outbreaks.

Position of Government of India.

16. It may not be out of place to look at the situation as it presented itself to the Government of India. At the time when a declaration of martial law was sanctioned the only means of communication was by wireless—the telegraph system had been temporarily destroyed by the mobs. Disquieting telegrams were being received not only from the Punjab, but from other parts of India. In the memorandum presented to us appears this passage :—

> "There had been most serious disorder of a definitely *anti*-government and still more of an *anti*-British character at Lahore, Amritsar, Kasur and Ahmedabad. There had been some disturbances at Bombay and a serious collision with the police in Calcutta. The Punjab Government had reported that a state of open rebellion existed in parts of the Lahore and Amritsar districts. Anxiety was also felt in Bihar and Orissa, where the British garrison is very small, and in the United Provinces. Perhaps the most disquieting feature of the situation was the persistent and apparently organised attacks on communications. At Amritsar the telegraph office and the railway station were the first objects of the mob's attack, at Kasur too the railway station was the first point of attack. In the Ahmedabad district, communications were seriously interrupted and a train had been derailed. In a country so vast as India where the military forces are necessarily scattered, the danger to isolated Europeans was obviously most grave. The events at Amritsar, Kasur and Ahmedabad showed the savage temper of the mobs towards all Europeans exposed to their mercy. In judging of these occurrences the Government of India had to take in mind the military situation as a whole and the demands likely to be made upon their resources."

Declaration of martial law justified.

17. Under Regulation X of 1804, we do not find that the discretion given to the Governor General in Council is restricted, when open rebellion has broken out in part of the territories under his jurisdiction, so as to limit by any technical considerations, or any considerations other than those of expediency and sound policy the area over which martial law may be proclaimed. In our opinion the situation which had arisen in the Punjab was one of extreme gravity and the authorities were justified in declaring martial law and partially superseding the ordinary tribunals in the different districts to which martial law was applied.

Continuance of martial law.

18. The wisdom of continuing martial law for the length of time it remained effective in the Punjab is more open to criticism than the original declara-

tion. We are not in a position as a body to express an opinion upon any legal or constitutional difficulties that may be involved. In terms of the Regulation of 1804 the continuance of martial law seems to depend on the existence of the state of open rebellion ; and, on the evidence before us, it cannot be said that this state continued for the whole period during which martial law was in operation. On the other hand, the fact that the ordinary courts were, broadly speaking, able to sit throughout, cannot be accepted by us as a test for the justification of continuing martial law. The form of administration introduced during the period of martial law depends upon the Regulation and also upon Ordinances passed by the Governor General in terms of the Defence of India Act, 1915. Under the Regulation which sets up courts-martial for the trial of those guilty of acts of open rebellion some discretion must be given to the Governor-General as to when it would be prudent to restore normal conditions without danger of a recurrence of the acts of rebellion. An appearance of peace and order may have been produced by the existence of martial law régime and too precipitate a relaxation of the drastic measures taken to restore order, may only lead to a fresh outbreak. On a question as to the prudence of their acts the standpoint of government must be considered.

19. In a written statement read to us, Sir Michael O'Dwyer says :—

Sir Michael O'Dwyer's explanation.

" In the first place we had very few troops in the Punjab. Those we had were about to be demobilized and they were generally of poor quality. The garrison regiments and territorials were also anxious to get back Home as their time was overdue. Moreover they had been very little used to the hot weather which was close at hand.

" In the next place the Indian troops we had in the province were chiefly new formations raised during the war. They had not as a rule seen any field service, they were insufficiently officered and they were only half-trained.

" In the third place, we knew that attempts had been made and would be made to seduce these troops of their loyalty, and we had certain incidents at the very early stage of the outbreak, in Amritsar on the very first day, which made us to some extent doubtful about certain units.

" In the fourth place, at the time we had in the Punjab some 100,000 to 150,000 demobilised men from the army. I think it was over 100,000 and under 150,000 men who had learnt the use of arms, but at the same time they had not been properly and fully disciplined, and if they had joined the mobs it would have aggravated the disorders.

" Fifthly, we had in the Punjab and especially in the central Punjab 9,000 to 10,000 returned Sikhs who had been more or less under the influence of the *Ghadr* movement and these people had returned from America. They had already a large number of them taken part in a revolutionary movement a few years earlier. We had practically

released them all. There was a danger of their again participating in any *anti*-Government movement.

"Sixthly, the symptoms of the old conspiracies, the *Ghadr* movement and the general revolutionary movement which were manifested in the bomb thrown at the Viceroy at Delhi and the bombs thrown at Lahore—one was as late as August 1918—I think the signs of these movements were still as far as we knew not entirely dead.

"Seventhly, we had very serious anxiety as regards the effect of the Turkish peace terms on the Muhammadan population in particular localities. We also knew that there was a state of ferment in Afghanistan and on the frontier.

"Eighthly, it was commonly known that a general railway strike was contemplated partly from internal discontent and partly from external pressure.

"Ninthly, we had a very acute economic situation, especially in the towns, which created an atmosphere of discontent and which spread disorder. We also knew that a very parallel movement had just been set on foot in Egypt. All these considerations were present in our minds when we were dealing with the situation both in proposing the establishment of martial law and in considering the desirability of revoking it.

"I may say with reference to the latter point a rough test was whether it was safe for a British officer to go about in an ordinarily peaceful locality without a revolver. That was a very rough test—I do not say it was a complete test—but I do not think up to the end of May in the localities where martial law had actually been administered a British officer or indeed any Britisher would have been safe in going about without a revolver."

Correspondence between Government of India and Government of Punjab.

20. On 3rd May the Government of India, who were anxious that martial law should not be continued longer than was necessary, enquired of the Punjab Government as to the early abrogation of martial law. The matter was considered by the Local Government in consultation with the military and railway authorities on 14th May. They were all agreed that martial law should be discontinued as early as possibe subject to the paramount consideration of public safety, but it was felt the relaxation of the restrictions should be gradual. As regards the military aspect numbers of troops were being hurried to the frontier in consequence of the outbreak of hostilities with Afghanistan and the officer commanding Lahore Civil Area expressed the opinion that, for the purpose of preserving order, he was in a stronger position with 500 troops and martial law than he would be with 2,000 without it.

From the railway point of view, the officiating Agent of the North-Western Railway expressed the opinion that without martial law he could not feel certain either of the men in the workshops or of the traffic staff. He explained that there had been a considerable amount of

agitation lately among both these classes and that they had been on the verge of a strike which it was believed had only been averted by a telegram which was sent all over the North-Western Railway system announcing that martial law was to be proclaimed on the railway. Any recrudescence of trouble on the railway, would, in his opinion, produce a grave situation. The history of the recent disturbances had shown that there were disloyal elements among the railway staff, who were for the present overawed largely owing to martial law, and it would be unwise to do anything, which would have the effect of encouraging them to think that they could once more work against Government with impunity.

From the civil point of view, it was represented that martial law had also had an effect in the maintenance of order which could not have been achieved by the civil administration.

Further communications as to withdrawal of martial law.

21. Conditions were still far from normal and the Government of India explain in their memorandum that they decided that it would be unsafe and unfair to those directly responsible for the maintenance of order to disregard the views of the Local Government, who had necessarily detailed information as to the condition of the disturbed area which was not available to the Government of India. The central and local Governments continued to be in close communication as to the state of the areas affected by martial law. On 18th May, the Government of India wired to the Government of Punjab: "Question of continuance of martial law will be considered by Government of India to-morrow and Home Department anticipates that decision will be to discontinue it at once in Gujrat and Lyallpur." In reply to this, the following wire was sent: "Lieutenant-Governor requests that Government of India will delegate to him power to terminate state of martial law at his discretion. He proposes to declare it at an end in Gujrat at once if Ordinance is ready. Opinions of local and military officers not yet received regarding Lyallpur. Expected shortly. Pending receipt Lieutenant-Governor is not prepared to express final opinion."

The Government of India in answer indicated its willingness to give the power asked, but pointed out that as martial law was established by order of the Governor-General in Council under the Regulation of 1804, it was legally necessary that the orders establishing it should be cancelled by the same authority. It was indicated that a new Ordinance had been prepared, the effective portion of which was as follows:—

> "When an order under section 2 of the Bengal State Offences Regulation, 1804, suspending the functions of the ordinary criminal courts of any district has been cancelled and martial law has ceased to operate, every trial which may, at the time of such cancellation, be pending before any commission appointed as a result of such order under the Martial Law Ordinance, 1919, shall be continued by such commission and any person

accused in any such trial may be convicted and sentenced and any such sentence shall be carried into execution as if such order had not been cancelled..... "

The telegram continued :—" On hearing from Local Government that orders convening commissions have been issued for all such trials in Gujrat, the Governor-General in Council will publish notification cancelling martial law in that district and Governor-General will promulgate new Ordinance. Government of India think that martial law should also cease in Lyallpur as soon as reports from that district are received and any necessary orders issued convening commissions. They are also strongly of opinion that cessation of martial law in remaining districts should be expedited."

On 22nd May, the Local Government pointed out that the proposed draft Ordinance omitted to provide " for the continuance of the summary courts appointed under the proclamations of General Officers Commanding for the speedy trial of offences other than those created by martial law.....As regards Lyallpur, the Deputy Commissioner reports that all the cases which are likely to be put before the Commissions have now been sent in to Lahore, 15 cases remain for trial by summary courts of which 6 are actually under trial and of the 9 that remain the investigation in three is incomplete.....The Deputy Commissioner points out that the very large sums of money which are deposited at the Lyallpur Treasury might offer temptation to revolutionaries and he adds that the Manjha Sikh population is decidedly sulky..... In this district, the Deputy Commissioner and the military authorities consider that martial law should not be withdrawn until the middle of June.....As regards districts other than Gujrat and Lyallpur, the Lieutenant-Governor thinks that the discontinuance of martial law should be postponed till a somewhat later date. Conditions are still far from normal. Another case of wire-cutting was reported last night. Snowball agitation is still going on. When the principal Amritsar prisoners were brought in to Lahore a day or two ago, they had a big send off from Amritsar and on arrival in Lahore showed open defiance of authority. They shouted to some soldiers, who happened to be at the Lahore station at the time on the way to the front, to join the Afghans in shooting the English. It is clear from these facts that the spirit of rebellion is still alive and in the Lahore and Amritsar districts, which form the heart of the province, Government should be chary of depriving itself of such a weapon of defence as martial law at a time like the present until it feels perfectly safe in doing so..... The times are critical and Government cannot afford to run any unnecessary risks especially with the railway." As a result of the communications between the two Governments martial law was restricted and finally withdrawn as we have already indicated. In their letter of 28th May forwarding to the Local Government a copy of an order abrogating martial law in certain areas in the Punjab, the Government of India say : " In regard to Lyallpur, it is under-

stood that martial law will be withdrawn as soon as the military force available there has been increased."

Afghan War.

22. The critical times referred to in the communication of the Punjab Government above mentioned had special reference to the situation on the North-West Frontier of India which, during the month of May, was such as to cause the local authority to hesitate in recommending the removal of martial law from the areas in the Punjab to which it had been applied. As explained to us by Sir Havelock Hudson, Adjutant General for the troops in India :—" Trouble on the frontier is always a possible trouble, a trouble which is always present and which generally declares itself without warning." The frontier line extends for about 1,000 miles, and slight trouble on the Quetta side might have far-reaching consequences on the line of communications. All the depôts of supply for troops at the frontier are dependent on the lines of communication with the Punjab, which for practically the whole distance from Lahore, is only a single line with many important bridges. Towards the end of April, the Afghan Commander-in-Chief with a force of two companies and two guns arrived at Dakka ostensibly to inspect the Afghan frontier. On 3rd May, a caravan proceeding through the Khyber was confronted at two places on the frontier by Afghans, and on the night of 4th-5th May five coolies engaged at the water-works were killed by tribesmen. On 4th May large numbers of leaflets with an exhortation to a *jehad* were sent from Afghanistan to be distributed in Peshawar. Rumours were circulating in the North-West Frontier Province that Germany had resumed war and that India and China had risen. On 5th May, the army received orders for mobilisation. On 8th May war with Afghanistan was declared. The Punjab Government were in possession of information which at the time seemed to point to a connection between the outbreak of hostilities in Afghanistan and the risings in the Punjab. In explaining this to us, Mr. Thompson said :—" Of course the matter has not been completely cleared up yet, but the position that we take up is, that we put you in possession of the evidence we have, but we do not claim really that it proves anything more than that the Amir took advantage of the troubles in India and that he had certain emissaries in India." The Amir himself had information about the Rowlatt legislation and had denounced its effect and provisions in false and misleading terms in a circular issued in parts of India as well as in Afghanistan.

Continuance of martial law on railways.

23. Martial law was maintained for a considerably longer period on the railway land than in the affected areas. Sir Havelock Hudson, who was advising the Government of India on the point, explained to us the advisability and necessity of adopting this course from a military point of view. He pointed out the difficult position in which the army was placed after the armistice and schemes of demobilisation were inaugurated. In particular, by reference to several maps which he produced, he indicated how maintenance of the Punjab railways

was vital for the position on the frontier, particularly when mobilization occurred in consequence of the war with Afghanistan. The seriousness of the situation was accentuated by the state of the British troops in India at the time, the number of effective troops being largely reduced ; and, with the arrival of the hot weather, the capacity of any European troops for a campaign in Afghanistan or for quelling an outbreak in India was seriously impaired. According to his view, martial law might have been withdrawn a fortnight earlier, but there was an unfortunate delay in the circulation of a file between the Home Department and the Army Department. This delay, however, only affected the railway land and we had no evidence of complaint about martial law administration during this period. It was certainly not General Hudson's desire to continue martial law longer than he thought necessary. " Martial Law is a thing," he said, " you really do not want to introduce unless you cannot possibly help it. You have got to remember that you are placing a very unfair burden on the soldier. I do not think any one will like to do it. It is the very last resort."

General.

24. It appears to us that those responsible for the maintenance of martial law gave a careful and considerate judgment to the question of its continuance and that they did not prolong it beyond the time during which to the best of their judgment it was necessary for the maintenance and restoration of order in the province. Looking to the problem with which they were faced we do not think that we should be justified in adversely criticising their decision.

CHAPTER XII.

Administration of Martial Law.

Martial law proclamation.

1. On the declaration of martial law in the districts of Lahore and Amritsar General Beynon commanding the 16th Division at Lahore, being the senior military officer in the district, assumed command. Colonel Money was appointed under him to administer martial law. The officers commanding in Amritsar, in Lahore Civil Area and in Lahore cantonments administered martial law under him.

On 19th April General Beynon issued a martial law proclamation containing certain regulations that were to be enforced within the limits of the 16th Indian Division in all places to which martial law had been or might be extended. This document defined as martial law offences the act of being in arms against the State or inciting others to be in arms (2), assisting or harbouring rebels (3), failure to report gatherings of rebels (4), use of language or issuing proclamations likely to foment rebellion or promote hostility between different classes of His Majesty's subjects (5), interference with railways, canals or telegraphs (6), possession of a motor vehicle without permit (7), departure from or entry to a proclaimed area save under conditions to be prescribed (8), convening or attending a meeting of more than 5 persons (9), escaping or attempting to escape from legal custody (10), disobeying an order given by a civil military officer in the execution of his duty when administering martial law (11), disseminating false intelligence likely to cause alarm or despondency (12), destroying martial law notices (13), refusing to give a correct name and address on demand (14), committing an act in prejudice of good order of public safety or calculated to hamper or mislead His Majesty's forces (16).

Trial of offences against proclamation.

2. Offences against these regulations were to be tried summarily by officers known as area officers. Under this designation were included, not only all officers designated as such but every officer commanding a station or regiment, every field officer and every officer commanding a brigade and all officers nominated by the Officer Commanding, Lahore Civil Area, or by the Local Government. In the exercise of this authority the Local Government gazetted a number of civil magistrates of the first class as having the powers of summary courts, but the services of these magistrates were not utilised to any

material extent in dealing with offences against Martial Law regulations.

Administration of martial law.

3. In Amritsar district the General Officer Commanding the Jullundur Brigade became the administrator of martial law and had at first one area officer of Major's rank. Lahore district was divided into two areas (1) the Lahore Civil Area, and (2) Lahore District outside the city, the latter being in the hands of the General Officer Commanding, Lahore Brigade. The civil area was in charge of Lieutenant-Colonel F. Johnson who was given three officers, of or above Major's rank, as area officers. The administrator in the Lahore district area was subsequently given a separate area officer of Captain's rank for Kasur.

Proclamation at Gujranwala.

4. When martial law was declared at Gujranwala, the General Officer Commanding, 2nd Rawalpindi Division, issued a proclamation dated 20th April in precisely similar terms to that issued by General Beynon. The administration of martial law was carried on by the General Officer Commanding, Sialkot Brigade, who moved his headquarters to Wazirabad. The Deputy Commissioner, Gujranwala, was notified as area officer for Gujranwala, an officer of Major's rank as area officer for Wazirabad, the Joint Deputy Commissioner for the Sheikhupura area and an officer of Captain's rank for Hafizabad. Gujrat and Lyallpur both came under the general Rawalpindi proclamation. In the former district, an officer of Lieutenant-Colonel's rank was appointed area officer and subsequently area officers were appointed for Lala Musa and Malakwal. In the latter district, a local area officer of Lieutenant-Colonel's rank was appointed.

Special Regulations.

5. The different administrators of martial law in the different areas issued a number of Regulations supplementary to the main Martial Law Proclamations of 19th and 20th April. As explained by General Beynon the supplementary orders issued by administrators of martial law within his area did not necessarily come to him for approval. "If Colonel Money considered that an order was not quite correct or did not meet the case, he would bring the case up to me. He would not issue orders himself. I should then take action to countermand the order of my subordinate or to confirm it." A book containing a collection of Martial Law Orders and Notices issued in the different areas in the Punjab under martial law administration was submitted to us. From this book, it appears that the most elaborate regulations were issued by Colonel Johnson for Lahore civil area where the administration of martial law was more intensive than elsewhere.

Cases before area officers.

6. The powers of area officers as regards punishment were, under the Proclamations, limited to sentencing an offender to two years' rigorous imprisonment or fine not exceeding Rs. 1,000 or both, and to whipping in addition to or in lieu of any other punishment.

Area officers sitting as Summary Courts dealt with cases against 543 persons of whom 386 were convicted. In 102 cases sentences of imprisonment were pronounced, 77 being for the maximum (2 years) and 8 for 1 year. There were 123 sentences of whipping, the whipping except in certain cases at Kasur (where the regulation cat was used) being inflicted with a cane. These figures include more than mere breaches of Martial Law Regulations, as a number of serious cases of ordinary crime were tried by these courts, *e.g.*, the offenders in the attack on Patti and many of those concerned in the attack on the railway at Gujranwala. The sentences imposed by Area officers, and other officers appointed to try offences against Martial Law Regulations, were not reviewed individually but 29 of the persons confined under sentence of imprisonment passed by these courts whose offences were not, in the opinion of the Government of India, tantamount to serious offences under the ordinary criminal law, were released under orders of the Government of India.

Summary Courts.

7. The original view of the Government of India appears to have been that (1) ordinary courts would be used for the trial of ordinary offences, (2) that special tribunals would try offences specified in the Regulation and any others which the Local Government directed to be so tried, and (3) that any courts appointed by military authorities would deal with offences created by proclamations under martial law. On 26th April the Government of the Punjab wired to the Government of India: "It now appears that the number of persons to be disposed of is much larger than at first anticipated and will probably reach four figures. Moreover in view of orders about petitions for mercy, it is probable that although procedure of summary general courts-martial is being followed, the proceedings will be somewhat more protracted than would otherwise have been the case. Lieutenant-Governor and General Officer Commanding, Lahore, are therefore strongly of opinion that for the prompt disposal of the minor cases summary courts should be established under orders of General Officer Commanding. There is, for example, a considerable number of cases of persons found in possession of looted property. General Officer Commanding, therefore, with the concurrence of Lieutenant-Governor, proposes to give powers to selected civil officers to dispose of cases summarily. It is suggested that for the disposal of these cases officers who have served as District Magistrates should be given powers of punishment equal to those of a section 30 Magistrate* and the other civil officers should be given punitive power of first class magistrates with powers of whipping....Lieutenant-Governor thinks it probable that General Officers Commanding already have the powers to constitute the summary courts suggested but in view of what he conceives to be the intention of the Government of India in regard to the trial of offences connected with the disturbances, he and General Officer Commanding, Lahore, think it advisable to ascertain

* Magistrate empowered under section 30 of the Code of Criminal Procedure to try, as a magistrate, all offences not punishable with death.

whether the course they propose has the approval of the Government of India." In reply to this wire the Government of India say " Regarding Local Government's proposal that General Officer Commanding should appoint selected civil officers to try minor cases summarily, Government of India do not think any single officer of magistrate's status should be empowered to inflict sentences up to 7 years summarily and without appeal. They think, moreover, no civil court should be vested with power to inflict sentence of whipping except where this is authorised by ordinary law. They suggest therefore that only important offences should be tried by Tribunals specially appointed under the Ordinance, less important cases being left to ordinary courts of law." The local Government then stated several reasons why minor offences should be disposed of by summary courts appointed by General Officers Commanding in exercise of their powers under martial law. These were *first* the desirability of having offences connected with the disturbances tried as rapidly as possible, *second* the anomaly of allowing minor cases to drag on after the principal cases had been disposed of, *third* that military and civil officers had already been empowered by General Officers Commanding to exercise punitive powers of 1st class magistrates in regard to acts which were offences under proclamations and were committed after the dates of proclamations, *fourth* summary courts in fact had already exercised the powers now asked for in spite of every endeavour to make the position clear. In answering this communication the Government of India say " Purport of your telegram under reply is not clearly understood but Government of India infer that summary courts created by General Officers Commanding have been employed to try minor offences under proclamation committed after date of proclamation creating such offences. Some of these offences would be offences also under ordinary law and Government of India understand that you wish summary courts to try such offences committed after March 30th and before dates of proclamations. They understand that in that case the offences would be defined and sentences regulated by ordinary law, but that your proposal is that summary courts should have powers of first class magistrates, but including power to whip, for all offences and should dispose of cases summarily and without appeal. It appears, moreover, that these powers have already been exercised. Government of India's view is (1) that military authorities should not empower courts to pass in respect of offences committed before date of proclamations sentences not authorised by ordinary law, (2) that if this irregularity has been committed it can only be rectified by an Act of Validation and Indemnity.

" For the future Government of India think that it is within power of General Officers Commanding to appoint summary courts for trial of such cases as they understand you have in view and they have no objection to appointment of selected civil officers to such courts. They think, however, that such courts should not, in respect of offences committed prior to proclamations of General Officers Commanding, inflict sentences other than those warranted by the ordinary law."

8. Upon the evidence submitted to us it appears that the irregularity to which the Government of India refers, was in fact committed by area officers acting as summary courts. A number of cases of offences against martial law proclamations were tried by area officers where the acts were committed prior to the declaration of martial law and to the proclamation declaring the acts to be offences. On 25th September 1919 an Act of Indemnity was passed to indemnify officers of Government and other persons in respect of certain acts done under martial law. In terms of this Act, no suit or other legal proceeding is to lie against any such person for any act done or purporting to be done for the purpose of maintaining or restoring order in any part of British India where martial law was enforced on or after 30th March 1919 and before the 26th August 1919, provided such person acted in good faith and in a reasonable belief that his action was necessary for the said purpose.

Act of Indemnity.

9. Following upon the correspondence referred to in paragraph 7 the two Generals Commanding Divisions issued notifications dated 5th May empowering certain officers to exercise the powers of Summary Courts in respect of offences against the ordinary law arising out of the disturbances but committed prior to the proclamation of martial law. All the officers so nominated were, with the exception of certain cantonment magistrates, civil magistrates with first-class powers. They were entitled to take cognisance only of such offences as were sent up by the police, they could not try any one for what was not an offence under the ordinary law. They could not try offences which are shown as exclusively triable by the Court of Session in column 8 of Schedule II of the Criminal Procedure Code, 1898, nor could they pass any sentence not authorised by the ordinary law for that offence.

Notifications as to officers acting as Summary Courts.

The total number of persons charged before these courts in the five districts was 1,142, of whom 837 were convicted. 766 were sentenced to terms of imprisonment, 296 being sentenced to the maximum period of two years and 233 for a period of between one and two years, 57 were sentenced to whipping. One hundred and eighty-eight of the persons affected by these sentences were released by the Local Government and 428 reductions of sentences were ordered, the reduction in practically all cases amounting to half the original term.

10. On the termination of martial law 8 cases involving 62 persons were tried for offences committed during the period of the disorders by a Tribunal constituted under the Defence of India Act. Eight persons were sentenced to transportation for life and forfeiture of property. These sentences were reduced by the local Government in 2 cases to 7 years, in 4 to 5 years and in 2 to 3 years, the orders of forfeiture of property being cancelled. Two persons were sentenced to 10 years' rigorous imprisonment, 1 to 7 years, 1 to 5 years, 2 to 3 years, 7 to periods of imprisonment for 1 year or less. Seven persons were

Tribunal under Defence of India Act.

acquitted and 28 discharged and two were shown as absconding when details were forwarded to this committee. Complaints were withdrawn against 4 persons as they were convicted in another case.

The ordinary criminal courts continued to sit during the period of martial law administration for the trial of cases not connected with the disorder.

Method of arrests.

11. The methods adopted by the authorities in effecting the arrests of persons supposed to be implicated in the criminal acts committed during the period of the disturbance were these. At Amritsar the police, on the 11th and 12th April, effected certain arrests with the aid of the military; military columns also assisted in securing the capture of offenders resident in villages. In Kasur no arrests were made for some days after the occurrences of the 12th. Considerable difficulty was experienced in making apprehensions owing to the great reluctance on the part of the population generally to give evidence against, or to identify, any particular individual as implicated in crime. At Kasur the police gathered large numbers of the population, in one case practically the whole male residents of the town, and had them paraded before certain of the witnesses. Lieutenant Munro, who had himself been a victim of the fury of the mob, explains what took place at some of these so-called identification parades when he was able to identify several of his assailants. He, however, repudiated the suggestion, and we have no doubt rightly, that he was unduly pressed to identify particular individuals. The arrests seem to have been made in the ordinary way in which arrests are made in India. The treatment was no doubt galling to people of position and education and there may have been cases where individual police officers subjected the arrested to unnecessary severity, but we find no reason for holding, or even thinking, that undue harshness was adopted as a matter of deliberate policy.

Persons arrested and released without trial.

12. Arrests were made in a number of cases where it was afterwards found that there were not sufficient grounds for proceeding with prosecutions. Some of these persons were detained for a considerable time before being released. We thought it right to call for a full statement from the Punjab Government of all persons arrested in connection with charges arising out of the disturbances and subsequently released without being brought to trial. For the purpose of judging as to whether persons, against whom no evidence to warrant a prosecution was ultimately found to exist, were kept in detention for times which were unreasonable or oppressive, it is necessary to bear in mind that, when martial law ended, all prosecutions for minor offences were abandoned as the summary courts ceased to exist. Such cases have therefore as far as possible to be allowed for—not because the accused are not presumptively innocent but because these cases do not afford a test as regards the question to be answered. The results of a careful analysis of the cases is as follows :—

Amritsar.

Out of a total of 193 persons mentioned in the return as arrested and released without being brought to trial, the following have in the first place to be deducted :—

Persons under arrest for one offence but withdrawn for trial on a more serious charge	13
Approvers	2
Persons not tried only because martial law ended	16
Released on compassionate grounds	3
Detained only for one day or less	9
Record not clear as to dates	1
TOTAL	44

This leaves 149 cases. Of these 60 are cases of persons arrested and detained with a view to prosecution but against whom the evidence was ultimately considered insufficient to warrant their being put upon their trial. Eighty-nine are cases of travellers arrested during martial law for the purpose of ascertaining their identity and the purposes of their journey, but against whom nothing was found on enquiry.

The periods of detention may be summarised as follows :—

Detained for prosecution 60

Period of detention.	Number of persons.
Under a week	9
7 to 13 days	7
14 to 20 days	2
21 to 27 days	3
28 to 34 days	5
35 to 41 days	15
42 to 49 days	15
79 days	4
TOTAL	60

Of the 4 detained for 79 days, 3 were being prosecuted in the Amritsar Leaders' case, but the case against them was withdrawn by the Legal Remembrancer. They were in custody from 29th April to 17th July. The other was the editor of a paper who is said to have been pardoned by Government. He was in custody from 4th June to 22nd August.

Of the 15 detained from 42 to 49 days, 14 were arrested in connection with the attack on Chheharta railway station. They were in custody from 8th May to 23rd June.

Travellers detained for enquiry	89
Period of detention.	Number of persons.
Some hours only	18
2 days	1
3 „	2
4 „	5
5 „	3
6 „	19
7 „	14
8 „	22
9 „	3
13 „	1
14 „	1
TOTAL	89

Many of these travellers were *sadhus*. Their detention occurred at various dates between 24th April and 29th May.

Lahore District.

The total number of persons included in the return is 251, but of these 17 were not confined in any lock-up. There are also included 64 *Sanatan Dharm* college students confined in the Fort over the night of 17th-18th April and 2 cases of Dayal Singh students confined for 6 days in the Fort for leaving Lahore without permission. Seven are cases of arrest for a day or less.

This leaves 161 cases, but of these the records are faulty as to dates in the case of 26.

Dealing with the 135 cases which can be examined to show how arrest and detention with a view to prosecution were conducted, the analysis shows :—

Days detained.	Number of persons.
3 to 6	11
7 to 13	33
14 to 20	47
21 to 27	31
28 to 34	3
42 to 44	10
TOTAL	135

The records show that a very large number of those suspected as having taken part in the disturbances at Kasur were released on the 7th May. The majority of suspects in Lahore were released before the end of April—most of them about the 24th.

Lyallpur.

TOTAL 42.

Deduct—

Bailed at once or under one day	5
Confined to their villages but not otherwise detained	6
Conviction set aside and after martial law not re-tried	8
TOTAL	19

Of 23 left, details are—

Days detained.	Persons.
13	11
14 to 20	9
24	2
29	1
TOTAL	23

The two persons detained for 24 days and the 1 detained for 29 days were arrested on a charge of unlawful assembly on the railway. The date of release was 22nd May.

Gujranwala.

TOTAL 179.

Deduct—

Detained one day and under	12
Released on compassionate grounds	1
Not tried because martial law ended	7
Approver	1
Record doubtful	1
Arrest after martial law ended	1
TOTAL	23

This leaves 156, of whom details are :—

Number of days detained.	Number of persons.
Under 1 week	80
7 to 13 days	12
14 to 20 ,,	22
21 to 27 ,,	5
28 to 34 ,,	10
35 to 41 ,,	15
42 to 48 ,,	4
49 to 50 ,,	4
56 to 60 ,,	4
TOTAL	156

Three men detained 56 days were arrested on 15th and 16th April. Two were suspected of taking part in the riots at Gujranwala and one of committing mischief on the railway line on Palka side (a Wazirabad case). One man detained for 60 days was suspected of having taken part in burning the railway station at Dhaban Singh. The Sangla detentions were all for very short periods.

Gujrat District.

TOTAL 23.

Record faulty in three cases, leaves 20.

Period of detention.	Number of persons.
Under a week	2
7 to 13 days	5
14 to 20 „	12
28 days	1
TOTAL	20

These figures have to be taken in connection with the facts already given as to the number of persons actually brought to trial. In all 2,537 persons were tried before the different courts, of whom 1,804 were convicted. The offences were committed in most cases by mobs. The Tribunals when they began their work laid down very strictly that evidence of identification by one witness alone would not be considered sufficient, and in all the areas the greatest difficulty was experienced in getting people to come forward and state what they had seen. It was certainly necessary that arrests should be made at once of all persons against whom tangible evidence existed of complicity in the riots or outrages. Having regard to the enormous mass of cases which the police and the Criminal Investigation Department had to deal with and to the circumstances above-mentioned, we feel that, while the number of persons arrested but not brought to trial is regrettably large and the periods of detention in some cases seem unduly long, this very difficult work was not done badly or oppressively on the whole. Disorders so widespread and serious, and in which so many persons participated, were bound to strain any system that could be improvised to deal with them.

Procedure.

13. The procedure adopted in the conduct of the investigation and the final presentation of cases to the courts was explained to us. Officers of the Criminal Investigation Department assisted the local police in connection with this work. Mr. Tomkins, Deputy Inspector General of Police, stated that the disturbed area was divided into three sections :—

(*a*) Amritsar and country south of Lahore including Kasur and Khem Karn, etc.

(*b*) Lahore headquarters.

(*c*) Gujranwala and places north of Lahore.

The staff of the Criminal Investigation Department was then divided into three sections and instructions were issued to the Superintendents of Police in the districts concerned. Those instructions gave them the names of the Criminal Investigation staff who were to assist them, the lines on which the enquiry was to be held, and a request that the cases which were complete should be sent in without delay and that the cases which required further investigation should be kept until they were ready. Each case was brought by the officer, who had investigated it, to the office of the Criminal Investigation Department where Mr. Howell was sitting. Mr. Tomkins adds "I vetted it with him asking questions which were necessary to elucidate information which was not readily available from the papers, and if I was satisfied that the case was a good one, I either took it personally or where it was a plain case, I sent it to the Legal Remembrancer who again vetted it from the legal point of view, and if he found there was a *primâ facie* case he framed the charges and sent it for trial to the commission." Where a case was not considered very serious Mr. Howell, in consultation with the Legal Remembrancer, sent it back to the summary court without any charge being framed.

In connection with the trials before the commissions one court inspector and one court sub-inspector together with clerks and orderlies, were deputed to each court with instructions to carry on the ordinary court duties in accordance with the requirements of the court. They had to arrange for the summoning of witnesses, to get the processes issued, to have the papers and exhibits and every other document or article in connection with the case present at the time required, they had to keep those documents when the courts were not sitting and they had to maintain a register of the cases sent for trial and the results.

Dissatisfaction with sentences.

14. A feeling that many of the sentences, pronounced by the Tribunals instituted to deal with offences committed during the period of the disturbance, were unnecessarily severe was very widespread throughout India. Recognition of this feeling was made by the action of the local Government in substantially reducing many of the sentences pronounced by the Martial Law Commissions and by the summary courts. The necessity for making such extensive alterations in the sentences would in some measure have been lessened if, in the case of the less important offenders, charges had not been pressed, which, when found established, left the tribunals no alternative but to pass sentences of a very prolonged period of imprisonment.

Working of Courts.

15. It is not within the scope of the enquiry with which we have been entrusted, for us to consider individually the different cases presented to the tribunals. Without however, expressing any opinion whether, in any particular case, a right or wrong conclusion was reached we desire to make one or two general remarks upon points arising in connection with the institution and working of these courts. The substitution of tribunals, similar to those under the Defence of India Act, for courts-martial ensured that

cases would be tried more in consonance with the rules prevailing in civil courts than would otherwise have been the case. A copy of the rules dealing with the preliminary stages of a trial before the Commission and with the procedure to be followed at the actual trial was submitted to us. The trials seem to have been correctly described to us as lengthy, detailed and careful. We think however that it was unfortunate that, in the case of some of the accused, the trials should not have been allowed to proceed before the ordinary courts. The point is taken with some force that where the accused as in the case of Dr. Kitchlew and Dr. Satyapal were interned during the whole period of the actual outbreak they ought not to have been tried by a special tribunal. The distinction between legitimate political agitation and sedition or conspiracy is often very difficult to define. Agitation of both kinds may directly or indirectly have the same result in disposing people to acts of violence, but, in the one case no indictable offence has been committed, while in the other case the act is one of the most serious crimes known to law. In a period of unrest this distinction may be lost sight of; at all events his trial by special court gives the political agitator cause for complaint which it would be more prudent to avoid.

Order against employment of counsel from outside Punjab.

16. The cause of complaint was heightened in the present case because of a military proclamation issued on 14th May that "legal practitioners whose ordinary place of business is outside the Punjab will not be allowed to enter the Martial Law Area inclu[illegible] in the limits of the 16th Indian Division, without the permission of [illegible] Administrator of Martial Law." Applications by a number of promine[illegible] legal gentlemen from Bombay and Calcutta for leave to enter the Punja[illegible] with a view to defending a number of accused against whom charg[illegible] were made before the Commissions were refused by the Administrat[illegible] of Martial Law. In their case to us the Punjab Government suggest tha[illegible] this order was dictated by the desire to prevent the disturbance of the political atmosphere now rapidly clearing by outsiders, whose main purpose would not improbably be the revival of agitation under the protection afforded by appearance before the Courts. General Beynon, who was responsible for the order, would not accept the above statement as the explanation for the proclamation. He simply says "My intention was, it was not necessary to have all these people in. They were not an advantage to me. That is why I looked at it from a military point of view." We think it would have been better had this proclamation not been issued and that the Government of India, though they did not think it would be right to interfere with the orders of the General Officer Commanding during the continuance of martial law, were right in regarding it as unwise. In Lyallpur the exclusion of outside lawyers was even stricter than at Lahore, as a martial law order was passed prohibiting lawyers from coming from other districts of the Punjab to defend accused and one pleader, who appeared in an ordinary criminal case in Lyallpur, was prosecuted and fined.

17. As regards martial law orders and cases arising out of the breach thereof we think it unfortunate that, in several important respects, martial law assumed as intensive a form as it did. It was not being administered in an enemy country but in a country where, on the restoration of normal conditions, it was advisable that martial law administration should leave behind as little feeling of bitterness and unfairness as possible. Some of the orders issued were injudicious. They served no good purpose and were not, in our opinion, drawn with sufficient tact to prevent undue annoyance to the civil population.

Criticism of martial law order.

18. The most criticised of these orders is, probably, what has come to be known as General Dyer's crawling order.

Crawling order.

On 10th April 1919 Miss Sherwood while bicycling in Amritsar had been brutally assaulted and left for dead in a street of the city. The perpetrators of this dastardly offence were deserving of the severest punishment. Some days after the assault had been committed General Dyer erected a triangle or whipping post at the place where Miss Sherwood fell. His intention was that those who had been guilty of the assault should be publicly flogged at this triangle. He placed two pickets at different parts of the street with instructions that no Indians were to pass between these points of the street, but he added that, if they had to pass they must go on all fours. This order was issued on the 19th April, *i.e.*, 9 days after the assault had been committed on Miss Sherwood. It continued in force until 26th April when it was withdrawn on the instructions of the Punjab Government who disapproved of it.

At the time when he issued the order General Dyer says that it never entered his brain that any sensible or sane man would intentionally go through the street, which he desired to close. Unfortunately, just after he gave the order to the picket, some men were brought by the police before General Dyer for not salaaming and, on account of their impertinent demeanour to him, he ordered them to be arrested and taken to the police office. These men were taken by the police past the picket, who insisted on their crawling. General Dyer, however, explains that in ordering their arrest and removal to the jail, he had no idea that they would pass along the street to which the crawling order applied. On the following day six men were sentenced to be flogged for some breach of fort discipline—the exact nature of their offence was not proved. They appear to have been under arrest for the assault on Miss Sherwood. They were taken to the whipping post and there flogged. On their way from the picket to the post and back they were made to crawl. We understand that these six men were afterwards convicted of the offence against Miss Sherwood with which they were charged. In addition to the cases we have mentioned other people had to crawl along the street. Altogether about 50 people seem to have done so. There are a number of houses that abut on the street. The inhabitants of these houses have occasion to use the street for the purpose of getting the necessaries of

life or on other legitimate occasion. General Dyer thought all the houses had back entrances, but in this he was wrong. On this error being pointed out to him he suggested that it was only a slight inconvenience for the people to go on the roofs of the houses and improvise other means of getting supplies than using the street. In this we cannot agree. The order is certainly open to the objection that it caused unnecessary inconvenience to a number of people and that it unnecessarily punished innocent as well as guilty. Above all from an administrative point of view in subjecting the Indian population to an act of humiliation, it has continued to be a cause of bitterness and racial ill-feeling long after it was recalled.

Salaaming order.

19. Another order open to similar objection, though in a less degree, is the salaaming order pronounced by General Campbell on 22nd April 1919. That order is in the following terms " whereas it has come to my notice that certain inhabitants of the Gujranwala District are habitually exhibiting a lack of respect for gazetted or commissioned European Civil and Military Officers of His Majesty's Service thereby failing to maintain the dignity of that Government I hereby order that the inhabitants of the Gujranwala District shall accord to all such officers, whenever met, the salutation usually accorded to Indian gentlemen of high social position in accordance with the customs of India. That is to say persons riding on animals or on or in wheeled conveyance will alight, persons carrying opened and raised umbrellas shall lower them, and all persons shall salute or ' salaam ' with the hand." It may be right enough that during the administration of martial law all the civilian population should salaam or salute officers of His Majesty's Services. The marks of respect, however, mentioned in the order which were shown by social inferiors to their social superiors are practically no longer in observance. No good object was served by making all Indians, whatever their station, show these signs of respect to all Commissioned Officers.

Orders against students.

20. The orders of Colonel Johnson as Administrator of Martial Law in Lahore civil area against the students of that city are also open to criticism. On 16th April, on the narrative that it was in the interests of the preservation of law and order to restrict the activities of the students of the D. A. V. College in spreading seditious propaganda, he pronounced an order requiring all the students of that college to attend a roll call at the Bradlaugh Hall at four different hours during the day. A similar order requiring the students of the Dyal Singh College to attend four roll calls at the telegraph office was pronounced on 19th April. By a later order, pronounced on 25th April, the students of King Edward Medical College were required to report on four occasions during the day to the officer commanding the troops at Patiala House. The students of this college were ordered to give up their bicycles to an officer appointed to receive them and the possession of a bicycle was deemed a contravention of martial law. Compliance with the order for attendance at roll calls

necessitated the students in many cases walking about 16 miles a day during the hot weather in Lahore.

On 17th April, in consequence of a martial law notice outside the college being torn or defaced in contravention of a martial law order, another order was issued ordering the immediate arrest and internment in the Lahore Fort, pending further order as to their trial or otherwise, of all male persons domiciled in the Sanatan Dharam College Hostel. Under this order between 50 and 100 students and their professors were arrested and marched a distance of about three miles to the Fort where they were detained about 30 hours.

Some of the students of the different colleges in Lahore had been in the unruly mobs that assembled in the Mal at Lahore on 10th April. They had of recent years taken an increasing interest in political matters and some of them had given utterance to seditious sentiments. Measures of a disciplinary character were no doubt called for, but we think the orders to which we have referred were unnecessarily severe. It would have been more prudent, in our opinion, if the military authorities had consulted the college authorities as to the orders to be passed. From the evidence given to us the latter bodies appear to have disapproved the above orders as serving no useful purpose.

Martial law orders in general.

21. Many of the orders passed during a period of martial law administration must invariably cause general inconvenience. Under this category we may place the curfew order, restriction on railway travelling and the prohibition against people assembling in greater numbers than 10. From the evidence given to us it appears that the military authorities relaxed these orders to meet cases of special hardship and that they were gradually modified or recalled as occasion presented itself. For example in Lahore, from 15th April till 21st April, the curfew hours were 8 P.M. to 5 A.M. ; from 21st April till 12th May, 9 P.M. to 5 A.M.; 12th May to 15th May, 10 P.M. to 5 A.M.; 15th May to 24th May, 10 P.M. to 4 A.M.; after 24th May, midnight to 2 A.M. By special order relaxations were granted for the nights of 15th-16th May and 25th-26th May. In Amritsar the curfew hours on 25th April were 10 P.M. till 5 A.M. and on 16th May 10-30 P.M. till 4 A.M. They were abolished in that town on 23rd May.

Flogging.

22. The infliction of sentences of flogging by area officers for offences committed against martial law orders is subject to criticism in some respects. When martial law was declared, triangles or whipping posts were set up in Amritsar near the Fort, and at some other places in the city, the intention being that floggings should take place in public ; but few were so carried out. At Lahore the position is thus described by Colonel Johnson, The places where floggings took place were " more or less in the vicinity of the courts where the sentences were passed, *i.e.*, the Reservoir Chauks, in the immediate vicinity of the courts, and some were sent down to the old Kotwali. The Civil Magistrate was sitting in the telegraph office. They were flogged in the compound there. There were 10 cases altogether

of that kind. Then there came an expression of wish—that was practically an order from the Commander-in-Chief—that flogging should not take place even in semi-public. After that the other 55 were flogged in the Central Jail, Lahore." We are of opinion that, even under martial law administration, no floggings should take place in public.

Number of floggings.

23. The impression made upon our mind by the evidence is that there were too many sentences of flogging pronounced. From an examination of the cases of flogging inflicted for breaches of martial law orders it appears that the punishment of whipping was regarded as "probably the most efficacious and convenient method of summarily dealing with most minor breaches of Martial Law Regulations." We find it inflicted for contravention of the curfew order, for failure to salaam a commissioned officer, for disrespect to a European, for taking a commandeered car without leave, for refusal to sell milk and for other similar contraventions. In view of the strong public sentiment in India against corporal punishment, we think it would be advisable that some restriction should be imposed on the discretion of area officers in giving sentences of whipping.

Method of carrying out floggings.

24. Allegations have been made that sentences of whipping were carried out in a particularly cruel fashion and that some people practically succumbed to the injuries that were inflicted. In our opinion there is no foundation for such suggestions. Instructions were issued that old and feeble men should not, under any circumstances, be flogged, and that the social status of the offender also required consideration. These instructions appear to have been very generally, if not indeed universally, carried out.

Fancy punishments.

25. A number of cases were brought to our notice where punishment of a different character from that mentioned in the Martial Law Proclamations was inflicted. This was particularly so in the case of the administration of martial law at Kasur. Many rumours, for the most part without any real foundation, were circulated as to Captain Doveton's 'Fancy Punishments.' According to that officer's statement he invented some minor punishments for cases which he did not think serious enough to merit being dealt with as provided in General Beynon's Proclamation. The most generally imposed of these punishments was that of working on the railway. In one case, a man accused of an offence suggested that he would skip if he were excused from working in the goods yards as a punishment. He was allowed to do so and afterwards a number of people were prescribed skipping exercise instead of being punished in a regular fashion. An accused who was of a poetical disposition was set the task of composing a poem in praise of martial law which he read in the market place. These punishments do not appear in Captain Doveton's return of punishments, but the fact that they were imposed gave rise to strange rumours. It was said, for example, that a *sadhu* had been ordered to be whitewashed. As explained by Captain Doveton

this remour seems to have arisen in this way " There was a particular piece of work to be done in the goods yard, I mean the clearing of a siding. There was an undelivered consignment of lime. I mean the owner had not taken delivery of the consignment and the whole siding was blocked. I ordered that this should be removed, at least I was told that that was the only work on hand that day, and it was the rainy season, and I think these people were covered from head to foot. They had shovels with them, and they were covered with lime from head to foot." One of the men made to do this work was a *sadhu* and in the course of his work he got covered with lime. Unfortunately the same officer, *i.e.*, Captain Doveton, pronounced an injudicious order that all convicted prisoners should salaam by touching the ground with their forehead. From this order sprang the rumour that he had compelled men as a punishment to draw pictures in the dust with their noses. General Hudson explained to us that although the proclamation of martial law laid down three forms of punishment, this did not preclude the officer on the spot from imposing slighter punishment upon the civil population on the analogy of what is sometimes called minor punishments in the army, but he thought that there should always be a record of the punishment, whatever it might be, that was imposed. We agree in the latter expression of opinion. We also think that some limitation on the nature of the punishment which he is to impose should be placed on the discretion of the officer on the spot administering martial law. We cannot think that a limitation of this sort would unnecessarily tie his hands. The instructions issued should if necessary be extended, so as to include special forms of punishment in particular cases.

Fatal accidents and complaints of blackmail.

26. During the administration of martial law one or two regrettable incidents occurred where people failing to answer the challenge of sentries were shot. The result of enquiries made at the time seemed to show that the action of the sentry, though regrettable, was not blameworthy. Some complaints were made against members of the police force for blackmail. These were investigated into by the police authorities, and if the complaint was established the offender was dealt with. Near Kasur a sepoy, who had plundered some clothes in Khara village, was arrested and tried by court-martial. On being convicted he was sentenced to six months' imprisonment and dismissed the service.

Precensorship of press.

27. On 11th April a precensorship order was passed against the press as regards the occurrences in Lahore. The object of this order was to prevent exaggerated accounts getting about in the press. It has been suggested that this order did not apply to Anglo-Indian papers. There is no foundation for this suggestion as the precensorship ordered applied to all newspapers without distinction. On the 12th the *Partap* (which was afterwards prosecuted for the tone of its articles during the previous week) was ordered to submit the whole of its matter to precensorship ; it ceased publication and has not since re-appeared. Certain extra-provincial papers, the *Congress*, *Vijaya Inqilab* (defunct) of Delhi, the *Medina* and

Al Khalil of Bijnor and the *Independent* of Allahabad were excluded from entrance to the Punjab. Other papers from Delhi were subsequently excluded. At subsequent dates a number of Lahore newspapers were ordered to submit the whole of their matter to precensorship with the result that some of them suspended publication. On 24th May the general orders requiring the submission to precensorship of all news regarding the disorders were withdrawn, but the orders of censorship against certain newspapers were retained, some of which were in force at the time when the Government of the Punjab prepared the report on the Punjab disturbances presented to us. The editors of two newspapers (the *Tribune* and the *Pantap*) were tried before a Martial Law Commission, the former being sentenced to 2 and the latter to 1½ years' imprisonment (both being reduced by Government to 3 months).

Difficulty of administering martial law.

28. It may be noted that the administration of martial law greatly adds to the duties to be performed by the army and in many cases places heavy and unfamiliar responsibility on comparatively young officers. We think that where martial law has been imposed under statutory provision as in the Bengal Regulation of 1804, which assumes the continuance of civil courts, the power of the military commanders need not necessarily be so supreme as was the case in the Punjab.

WILLIAM HUNTER.
G. C. RANKIN.
W. E. RICE.
G. DES. BARROW.
T. SMITH.

Minority Report

MINORITY REPORT.

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CHAPTER I.

Introductory and General.

Extent of agreement with Chapters I and II of the Majority Report. Order against Mr. Gandhi.

1. We agree with and adopt Chapters I and II of the Majority Report regarding the events and the measures taken to deal with them, in (*a*) Delhi, and (*b*) Bombay Presidency, including Ahmedabad, Viramgam, Nadiad and Bombay city. We are, however, not quite clear as to the merits of the step taken by the Delhi and Punjab authorities in turning back Mr. Gandhi from his intended journey to Delhi and the Punjab. It is almost certain that if Mr. Gandhi had not been so turned back the unfortunate events at Ahmedabad and other places in the Bombay Presidency would not have taken place and the official evidence leaves no doubt that his influence on his arrival at Ahmedabad on the 13th of April was fully thrown on the side of law [redacted]rder and had great effect in quickly restoring Ahmedabad to normal [redacted]ions. It is probable that his presence in Delhi and the Punjab [redacted]have led to beneficial results. But on the other hand, the possi-[redacted]f developments endangering public peace had also to be considered, [redacted]r. Barron explained to us the reasons which prompted him to take [redacted]tion.

Appreciation of the action of the Bombay Government, of the Collector of Ahmedabad and of the Chief Commissioner of Delhi.

2. We think that in Delhi a difficult situation was handled with tact and restraint by Mr. Barron, the Chief Commissioner. Mr. Chatfield, the Collector of Ahmedabad, who had to deal with a sudden and grave outburst of mob fury, acted with discretion and judgment which must be acknowledged. The manner in which the Bombay Government, while firmly taking adequate steps for the maintenance of peace and order in the city of Bombay and Ahmedabad and other places, avoided taking measures likely to cause public irritation and leave bitterness behind, displayed, to our mind, creditable statesmanship. In Ahmedabad where the atrocities committed by the unruly mob were as bad as those at Amritsar, Martial Law was never proclaimed, only one or two orders which were considered necessary by the military authorities for restoration of order were issued and remained in force only for two days and nothing was done savouring of a desire to punish the whole population or to teach them a lesson for the events of the 10th and 11th April. Ahmedabad was the birthplace of the "*Satyagraha* Movement" with its offshoot of civil disobedience and intensive propaganda was carried on in the district of Ahmedabad and Kaira but no repressive measures were undertaken.

3. We are generally in agreement with the statements of facts contained in Chapters III to VII of the Majority Report as regards the events in the five districts of the Punjab under enquiry, which statements, we think, are substantially correct except in the particulars we indicate hereafter with regard to each district. In doing so we have confined attention only to matters of importance and have not considered it necessary to refer to matters of a comparatively trifling character. While, as stated above, we are in general agreement with the statements of facts in those chapters, we must not be taken as accepting all the inferences and conclusions drawn in those chapters from those facts. Where we take a different view the same will be found stated in our treatment of the particular incidents to which such facts relate. We agree in the view that the firing by the military and the police at the different places was, under the circumstances, justified, except in the case of the firing done from aeroplanes at Gujranwala and some of the firing done from the armoured trains. Our views on the action taken by means of aeroplanes and armoured trains are stated in the chapter dealing with those matters. As regards Chapter VIII which deals with the " Attack on Communications ", our view on the subject is stated in the chapter where we deal with the necessity of the introduction of Martial Law.

Extent of agreement with Chapters III to IX of the Majority Report.

4. We are in substantial agreement with Chapter IX of the Ma Report dealing with ' Causes ' with the following reservation. W unable to agree in the view expressed in the latter part of paragr. which attempts justification for the assumption of the Punjab auth that the outbreak was the result of a definite organisation. W unable to agree in the view that the riots in the Punjab were in nature of rebellion. To suggest that they had the elements of a revolution and might have rapidly developed into one, is, we venture to say, an exaggerated view of the events which is not justified.

We entirely agree with what is stated in this chapter regarding the *Satyagraha* movement and its offshoot, civil disobedience of laws.

5. Chapter X of the Majority Report headed ' Declaration of Martial Law ' is purely a narrative of the various steps taken for such declaration and we are in agreement with the same. We are unable to agree with the conclusions of the majority as contained in Chapters XI and XII of their report, which are headed " Reasons for Martial Law and its continuance considered " and " Administration of Martial Law." Our reasons for holding that the introduction of Martial Law and its continuance for the period for which it was continued were not justified are fully stated hereafter. We may observe that with regard to certain incidence and measures taken by the authorities, *e.g.*, the firing at the Jallianwala Bagh meeting, the crawling order and some of the orders issued under Martial Law and the manner in which they were carried out, there is agreement as to the conclusions, but as we take a

Chapters X and XII of the Majority Report.

different view as to the gravity and the proper appreciation of those matters, we have expressed our views at some length regarding them.

I

Amritsar.

6. With regard to the events at Amritsar, we are unable to hold that the crowd as they were going over the bridge, and before they had been fired upon or turned back, were crying out, "where is the Deputy Commissioner? We will butcher him to pieces." This allegation rests only on the testimony of Jiwan Lal, Inspector, Criminal Investigation Department. We think it is unsafe to rely on this man's evidence in the absence of any corroborative evidence, especially when he did not make any written report about what he had heard and witnessed when he was in the crowd over the bridge. Dr. Fauq, who was with this crowd and gave evidence, does not bear out Jiwan Lal. Dr. Fauq says that the cries were that they must see the Deputy Commissioner, ask him where Drs. Kitchlew and Satyapal were and insist on themselves being taken to where they were if they were not released. According to Dr. Fauq it was later in the afternoon after those wounded by the firing had been brought to Dr. Bashir's house for being treated that the crowd became excited and uttered threats against the Deputy Commissioner.

We think it is not correct to say that the firing was in no sense the cause of the excesses on the 10th April. The excesses committed by the mob on that day were altogether inexcusable, and nothing that had happened afforded any justification for them. But on the evidence before us, we think that it is true that the crowds, when they started to go to the Deputy Commissioner and came on the bridge, had no intention of committing any excesses. After the firing they lost their heads and seized by a mad frenzy started on their nefarious work. This is supported by the statement of Mr. Miles Irving.

II

Lahore.

The Badshahi Mosque incident.

7. With regard to the narrative of the Badshahi Mosque meeting we are unable to hold that the false story of the *ex*-sepoy that the Indian regiments had mutinied, that British soldiers had been killed and that he had himself killed six British soldiers was received with great enthusiasm and that he was garlanded and carried to the pulpit of the mosque. The only evidence before us is that of Jiwan Lal, the Criminal Investigation Department Inspector, to whom we have already referred before. We are unable to accept his story in full. This man made a report that very day to his superior officer who made a record of it. In that record the present story given by this witness of the reception given to the *ex*-sepoy at the Mosque finds no place. That record says "the Sikh disappeared shortly afterwards and was not to

be seen when the meeting came to a close. The people looked out for him to enquire further details from him. His disappearance created doubts in the minds of the people as to the correctness of what he had said." Jiwan Lal's attention at the time of his examination before us was drawn to this report and he admitted that the statement was made by him.

The crowd at the Fort on the 11th.

8. As regards the alleged conduct of the crowd on the 11th in front of the Lahore Fort, after a careful consideration of the evidence given by Lieutenant-Colonel North and of the surrounding circumstances, we are led to the conclusion that Colonel North has mixed up his own observation with what he heard and had exaggerated to himself what happened at the fort. His evidence shows that he is not clear as to the date on which this incident took place. He mentions the 11th April as the date of these occurrences; but then he says that these occurred in the afternoon on the day when the police fired on the crowd at the Hira Mandi. If a crowd of 6,000 persons was trying to pull the rails of the fort down, it is really strange that no damage was done to them. The fact of this demonstration at the fort does not appear to be recorded in the War Diary or in any official report. Lieutenant-Colonel North was evidently under some misapprehension when he said that the force in the fort was entirely isolated for seven days. On the 12th April Lieutenant-Colonel Johnson marched through the city and was at the Hira Mandi before the fort. He picketted the city, and after that the military and the police were in complete control of the city. Lieutenant-Colonel North, in fixing the date when the police fired, says, " I am quite certain because I was in the Gymkhana Club and I did not get away from the club till 9 o'clock because of the crowd." Lieutenant-Colonel North did not say at what hour he went to the Club, but the fort was certainly not so isolated if he was able to go from there to the Gymkhana Club. Moreover, he had 120 soldiers, some machine-guns and other artillery in the fort; and it is rather unlikely that a crowd in face of such an armed strength would behave in the manner stated. As already observed above, Lieutenant-Colonel North has evidently mixed up partly what he saw himself and what he was told by his men. With regard to certain incidents Lieutenant-Colonel North admits that what he stated was what he had been told by his men. It is possible that in speaking of events that happened many months ago he mistakes what he had been told about other incidents as his own observation.

III

Attempts to seduce the soldiers and the Police.

9. The evidence before us does not show that there was at any time any serious attempt made to win away either the police or the troops. Only two attempts with regard to the police have been deposed to. Baba Kher Singh, Sub-Inspector, Kasur, said that when the rioters

came in front of the tahsil, attempting to damage it, he warned them of the consequences, upon which they replied, "you also come down and join us." Then, on the 11th April it is alleged that when the crowd was collecting at the Lohari Gate, one person shouted to the police, "You are our brothers. Join us." Mr. Rehill, Superintendent of Police, Amritsar, said that no attempts to seduce the police came to his notice. With reference to soldiers the only evidence is that General Dyer was told that some people had given sweetmeats to soldiers, but as to when, how and under what circumstances no evidence has been produced. General Dyer says :—

Q. On the 29th April was there a meeting of Brigadiers held at the Divisional Commander's house at Lahore at which the danger of agitators getting at the Indian Army was discussed ?

A. Yes, Sir.

Q. Were any attempts made to undermine the loyalty of the troops brought to your notice ?

A. There were a good many rumours and I was informed that the citizens of Amritsar had been giving my sepoys sweets and so on with a view to getting at them. Beyond that I did not see anything among the troops. When they were ordered to fire, they fired ; I could not see anything among the troops beyond that.

We have already referred to the evidence of General Hudson on this point in another place.

IV

Posters.

10. Reliance has been placed upon certain posters of a seditious and [illegible]lammatory character found posted on buildings at various places. [illegible]he appearance of these posters at the period we are dealing with should [illegible]ot be given undue importance. There are always among the popula[illegible]on fanatics who do these things and it would not be just to regard such posters as indicating the temper or the inclination of the general population. The same to a certain extent is true with regard to certain seditious cries that are stated to have been uttered by some people.

Khan Sahib Abdul Aziz, Deputy Superintendent of Police, Political Branch, Criminal Investigation Department, Punjab, said :—

> "It is true that seditious posters of worst type are found every month and we have not been able to trace who was responsible for them. I have no evidence that the pasting of these posters at Lahore was the work of any organised society. I admit that it will be natural for some anarchists or fanatics at such times to publish these posters."

General.

11. We must note that the evidence produced before us was mainly official evidence; only a negligible number of volunteers offered themselves. In the anxious consideration we have given to the materials placed before us, while giving the fullest weight to that evidence we could not lose sight of the fact that it was in the main the evidence of officials whose administration was under review and there was virtually no non-official evidence. Allowance must therefore be made for the possibility that, if non-official evidence had not been withheld, our conclusions regarding some incidents might have been different.

CHAPTER II.

The Real Nature of the Disorders.

1. In order to arrive at a correct conclusion regarding the real nature of the disorders of April 1919, it is necessary to bear in mind the circumstances existing in the beginning of the year 1919, in the country generally and in the places where these disorders broke out in particular. These circumstances have been fully stated in paragraphs 2 to 8 and 19 and 20 of the chapter on Causes in the Majority Report, in which chapter, subject to a few reservations as already stated above, we entirely agree. For four years and more the resources of India, like those of the other members of the British Empire, had been strained to the utmost in the prosecution of the war. A large effective army had been supplied, the Punjab itself making a substantial contribution of 400,000. India has raised three war loans, and contributed £100,000,000, as its quota to the Empire's war expenses. Besides the direct contributions in men and money there were indirect contributions of a substantial character in various ways. The prices of necessaries of life and other commodities of daily use had increased immensely owing to the war, pressing very heavily on the middle classes and people of limited means. People with fixed moderate incomes were most hard hit in this section, and among them were the subordinate railway officials who were therefore discontented. Curtailment of facilities of travelling and import and export of merchandise had also created considerable hardship. The operations of the Defence of India Act and the rules thereunder and of the Press Act had encroached upon the ordinary standard of liberty.

Circumstances existing in the beginning of 1919.

2. While the war was on, all the restraints and hardships, though felt bitterly, were suffered patiently, because of the common purpose of winning the war. But the people generally had hoped that the defeat of Germany and the successful ending of the war for the Allies would immediately end the abnormal conditions and bring into existence a happy and prosperous era. After the Armistice was concluded in November, 1918, the prevailing abnormal conditions, instead of vanishing, became aggravated, particularly in relation to high prices. The ordinary people naturally became discontented with their lot. There was widespread famine in the country owing to the failure of the monsoon of 1918, and the prevalence of influenza and other epidemics had resulted in a very heavy mortality. The new Income-tax Act and the more searching methods of enquiry in relation thereto as well as the interference with

trade conditions already referred to had made the trading community restless.

3. The war had also created throughout the world a new outlook of freedom and liberty, and the same had visibly affected India. The Imperial Government had, as early as August 1917, made a declaration of policy by which the attainment by India of Responsible Government by successive stages was put forward as the goal and the Secretary of State for India and the Viceroy, having gone round the country and ascertained the views of the public as to the manner in which that policy was to be given effect to, had published the Montagu-Chelmsford Scheme. Great expectations were thereby raised, and when it was said that the Government of India were likely to suggest modifications therein of a somewhat illiberal character, that news had caused considerable irritation. The conclusion of the war has also brought forward the thorny question of the terms on which peace was to be concluded with Turkey; and the Muhammadans in India were apprehensive that those terms would be severe.

4. The above statement describes the factors that were influencing the minds of the people throughout the country, including the Punjab and the other places where these disorders took place.

Special factor in the Punjab.

5. Some of the above factors were more potent in the Punjab than elsewhere. As already observed, the Punjab had supplied by far the largest number of combatants as compared to the other provinces in India, and it is quite natural that owing to casualties amongst them, war-weariness would be more pronounced in the Punjab than in any other province. Similarly, the restrictions on traffic must have been more seriously felt by the producer of the Punjab which every year exports a large quantity of food-stuffs. Lahore, Amritsar, Gujranwala, Wazirabad, Hafizabad, Sangla, Chuharkana, Akalgarh, Aminabad, Kasur, Patti, Khem Karan, came under the special income-tax and the increase was very large, ranging from 100 to 200 per cent. The seizure of wheat stocks under the Defence of India Act to stop speculation and reduce the price of grain to the poor was also naturally disliked by the traders affected thereby. Then the Punjab Government under Sir Michael O'Dwyer had for various reasons come to be regarded by the educated and politically minded classes as opposed to their aspirations. His speech in the Imperial Legislative Council in September 1917, was regarded as an attack on the educated classes and created considerable resentment. At the next meeting he expressed regret that his speech had hurt people's feelings. During his administration orders had been issued prohibiting politicians like Mrs. Besant and Mr. Tilak from entering the Punjab and reports of the proceedings of certain meetings had been prohibited publication unless they had been censored. He had objected to the Hon'ble Dr. Sapru, the Hon'ble Mr. Banerji and the Hon'ble Pandit Madan Mohan Malaviya being invited to attend the conference that was held at Lahore to support the reforms-proposals of the nineteen members of the Indian Legislative Council. Several newspapers had been prohibited entry into the Punjab; and the Press Act had been put into operation more vigorously there than in any other province. The

Hon'ble Mr. Thompson, Chief Secretary to the Punjab Government, said that the late Lieutenant-Governor of the Punjab wanted the atmosphere of the place to be as calm as possible during the war, and that all these measures taken by him in regard to the Press and political agitation must be regarded as war-measures. In referring to these measures, we must not be regarded as attempting in any manner to pronounce judgment as to their merits; we are referring to them only with the object of noting the fact that in consequence of them there was considerable feeling existing in the minds of the educated and thinking classes in the Punjab.

Rowlatt Act.

6. On the 18th January, 1919, what are popularly known as the Rowlatt Bills were published and were introduced in the Imperial Legislative Council on the 6th February, 1919. The bills evoked almost universal opposition in the country. They were opposed by almost all the Indian members of the Imperial Legislative Council, of all shades of political opinion in the country. It was felt in India that, when she stood steadfastly by the Empire in the War and had thereby proved her right to be treated as an equal member of the Empire, repressive legislation of this character was being hurriedly passed while the Reforms Scheme for instalment of Self-Government had not till then materialised. But the main objection to the legislation was that the Executive were being clothed thereby with considerable powers uncontrolled by the judiciary. When an amendment moved by the Hon'ble Mr. Surendra Nath Banerji for the postponement of the bill to the September session, pointing out that there was no harm in so doing as the Defence of India Act was still in operation, was negatived, considerable feeling of resentment was created. In stating the above facts we must not be regarded as in any manner expressing any opinion on the question whether the introduction of these measures at this juncture was unwise or with regard to the merits of those measures; it will be outside the scope of our reference to do so. We have stated these circumstances only with the object of taking note of the fact that the introduction of the Rowlatt Bills did create considerable resentment throughout the country. This opposition, shared in as it was by people of all shades of political opinion, was genuine and not a factious or artificial one as was suggested by some witnesses before us. One of the Rowlatt Bills was finally passed in the Legislative Council on the 17th March, 1919, and received the assent of the Viceroy soon afterwards. The agitation against the measure increased, and demonstrations of various kinds were made to secure the repeal of the measure. It appears that at any rate in the Punjab there were afloat a considerable number of misrepresentations of the provisions of the Rowlatt Act, but it was not suggested that any known or recognised leaders were responsible for these misrepresentations. Although these misrepresentations were current for a considerable time Government had not taken any definite step to explain the Act to people at large; it was not until after the *hartal* of April 6th that the Punjab Publicity Board took steps to distribute copies of it in large numbers.

7. While the bill was still before the Legislative Council, Mr. Gandhi joined the agitation against the bills, which thereby received a great accession of strength. On the 1st March 1919, the *Satyagraha Sabha* was established at Bombay, and it was announced that those taking the *Satyagraha* vow would civilly disobey the Rowlatt Act and such other laws as a committee of the *Sabha* may from time to time name. We are in agreement with what is stated in paragraphs 13 to 18 of the chapter on Causes in the Majority Report as regards the *Satyagraha* movement, its progress and the nature and effect of the doctrine of civil disobedience stated by Mr. Gandhi as part of the *Satyagraha* doctrine. There was a *Satyagraha Sabha* established at Delhi and there was active propaganda in support of *Satyagraha* but the *Satyagraha* movement as such does not appear to have made appreciable headway in the Punjab ; and we do not think that the disorders that took place there could be attributed to active presentation of the *Satyagraha* doctrine by organisations working in the province itself.

"Satyagraha" movement. Civil disobedience.

8. The question that first arises is whether these events were in the nature of a rebellion as commonly understood, that is, a rising for the purpose of turning out the British Government and were the result of an organised movement for that end. It was stated before us by some officials that these disorders were in their view the result of an organised conspiracy throughout the country to turn out the British Government, and it was said that such organisation was connected with the ferment in Egypt and the machinations in Afghanistan. One witness even suggested that it was connected with, if not financed by, the Russo-German Bolshevik organisation. The views were based on inferences from the nature of the occurrences themselves and no evidence in support of them was forthcoming. The Hon'ble Mr. Thompson, Chief Secretary to the Punjab Government, admitted in his examination before us that there was nothing more than conjectural connection between the disturbances in the Punjab and the ferment in Egypt, the machinations in Afghanistan or the Bolshevik influences. He did not wish the Committee to draw any inferences in this connection from the facts placed before us by him. The following is an extract from the examination of Colonel A. J. O'Brien, Deputy Commissioner, Gujranwala, regarding his statement that the unrest was organised from outside :—

Was there a rebellion and organized conspiracy ?

Q. So according to that, the organisation that you refer to was in the Punjab, outside Gujranwala ?

A. I don't say that. I say that it was certainly outside Gujranwala.

Q. Was it outside the Punjab or inside ?

A. That I cannot tell you.

Q. You cannot say where the organisation was ?

A. No, I have no information.

Q. You do not know whether there was any organisation at all.

A. No.

Q. And then why do you say here "it was organised. . ." when you never knew whether there was an organisation at all or not ?

A. As I said, it was only my assumption. I don't think that the Gujranwala people would have started it off of their own accord, therefore I assumed that it must have come from outside.

Q. You assumed the existence of an organization without any evidence at all ? You never made any enquiries ?

A. It is not for me to take into consideration every individual thing outside my own district.

Q. Colonel, you have made a statement, and surely you must base that statement on some material ?

A. I am like our friend this morning (referring to a non-official witness). I did not expect to be cross-examined.

Q. Therefore you thought it did not matter if you made that statement and it would not be challenged ?

A. I was asked to give my opinion by the Punjab Government and I gave it.

o organisation for bringing about the disturbances.

9. On the evidence before us we are of opinion that there was no rebellion in the sense we have mentioned nor any organisation for that purpose ; further that there was no organisation even for bringing about the disturbances and the atrocities which were committed by the mobs s[illegible] by the frenzy of the moment. The Punjab Government in their [illegible] presented to us take the view that the disturbances cannot be right[illegible] attributed to an organisation for that purpose but must be [illegible]ferr[illegible] mainly to local causes. They say "In many cases the *hartal* ✓ [illegible]e 6th April owed very little to a direct organisation of public men." [illegible]e movement against the Act working up to the general demon[illegible]ion of the 6th was not of itself of an exceptional character. There [illegible]as not as far as can be ascertained any general intention of carrying [illegible] beyond political agitation and passive resistance." "For the disturbances that ensued we must mainly look to local causes." Speaking about Amritsar where the worst disorders took place, the Punjab Government say "that certain local factors resulted in turning what started as a protest in force against the deportation of Drs. Kitchlew and Satyapal into mob-violence marked by murder, pillage and incendiarism."

At Lahore, they say, the disturbances followed the reported arrest of Mr. Gandhi and the news of the outrages at Amritsar. Speaking about the town of Gujranwala, they say "Actual disorder was due rather to the desire to emulate the outrages of the mob at Lahore and Amritsar rather than to any long premeditated organisation for violent ends." As regards the disturbances in various places in the Gujranwala district, Mr. Bosworth Smith, Joint Deputy Commissioner, Sheikhupura, says in his written statement, "Crowds flocked down to meet every train that passed through and the wildest rumours were afloat. The

outbreak was immediately preceded by the *Baisakhi* festival. A large number of Sikhs and others went to Amritsar. Some of them were shot or wounded there, and the wildest tales came back of Government oppression, which further inflamed the population, particularly against Europeans." Of Kasur they say that " it is safe to exclude any suggestion that disorders were long premeditated or due to an organisation to that end." As regards Gujrat they say " the record of the disturbances in this district discloses no evidence of organisation. Such trouble as occurred was confined practically to two days, and with the exception of the deliberate derailment at Malakwal, reveals little concerted action to cause a serious breach of the peace.....; but the nature of the course taken by the demonstration does not suggest that there was at any time ever any danger of outrages so grave as those which occurred at Amritsar and Gujranwala."

10. It is also beyond doubt that the principles of *Satyagraha* as enunciated by Mr. Gandhi inculcate the doctrine of no violence and that the *Satyagraha* vow enjoins abstention from violence. Although the effect on the masses of the propaganda of civil disobedience connected with *Satyagraha* was likely to create an atmosphere favourable to violence, it cannot be said that the promoters of the *Satyagraha* movement themselves intended that violence should result. The official evidence is unanimous in saying that the local leaders at Delhi, including *Satyagrahis* were taken by surprise at the actual violence that occurred and did their best to assist the authorities in the restoration of law and order. Jiwanlal, Inspector, Criminial Investigation Department, has the following record in his diary " I personally called on Dr. Kitchlew as the foll[illegible] of his views. I am not known to him in any capacity. It was [illegible]essary to sign a form regarding passive resistance and the mann[illegible]which it was to be resorted to would be according to the instruc[illegible]f M. Gandhi to be received later on. He gave me a form which I att[illegible] herewith. He advised that no violence or force should be used."

Result of official investigation.

11. Mr. Orde, Superintendent of Police, Delhi, was specially charged to make enquiries about the Delhi disturbances with the particular object of bringing to light the extent and methods of organisation believed to be responsible for the disturbances and its connection, if any, with similar outbreak in the other parts of the country. His conclusion, arrived at after full investigation, is that the rioting at Delhi was not the outcome of a conspiracy against the British *raj* but the natural consequence of economic hardships and political unrest. He further says that it was never intended by the members of the *Satyagraha Sabha* or others that their activities should result in violence. He adds that he could find no connection between the Delhi disturbances and the disturbances in other places. Similarly, Mr. Guider, who was specially deputed to conduct an investigation into the Ahmedabad disturbances, said that he could find no organisation behind those disturbances, and that there was no connection between the Ahmedabad disorders and the disturbances in other places. Mr. Tomkins, Deputy Inspector General of Police,

Punjab, who, it appears, was placed on special duty to explore the organisation underlying the disturbances came to the conclusion "that behind and beneath the disturbances, there was no organisation such as could not be seen by any one following political developments in India during the last few years." In his view, the disturbances were more or less spontaneous, bred by political unrest. The marked differences as regards certain essential features in the disturbances at different places also negative any common design. While in Amritsar and Ahmedabad the mobs, when they lost self-control and started on their nefarious work, brutally assaulted and killed Europeans and destroyed Government and public property, it was quite otherwise in Lahore and Delhi. During the disturbed time of the 10th of April and the following days, there was no determined attempt at Lahore to molest Europeans or attack banks or public buildings. Similarly, in Delhi, throughout the period of the disturbances from the 30th March to the 17th April, there was never any attempt made to damage Government or public buildings or any attack on Europeans as such.

12. If there was no organised or concerted attempt to bring about these disorders it follows that there was no organisation for a rebellion, and we think that it is not a correct description of these disturbances to call them rebellion in the sense we have indicated above. The first circumstance that invites attention in this connection is that in no place [redacted] the mobs provided with any fire-arms or swords or other weapons [redacted]racter. The evidence further shows that at no time was any [redacted]ade by the crowds to obtain arms by raiding the houses of [redacted]lders or the ammunition shops in the disturbed areas. [redacted]nt-Colonel Johnson told us that there were 1,700 license holders [redacted]ore civil area. The question was put to him "Am I right in [redacted]sing that if the people of these provinces had been bent on rebellion [redacted] (possessing arms) would have been the first thing they would have [redacted]one?" His answer was "I say that is my opinion. I think you are [redacted]ight." In several cases in the beginning of the disturbances, they had not come armed even with *lathis* or sticks. When this aspect was put to some official witnesses, they said that it was a 'ridiculous' rebellion. At Amritsar when the crowd first started to go to the Deputy Commissioner's bungalow they were bareheaded and barefooted and had no sticks; and it was after they had been turned back by the firing that some of them armed themselves with sticks and pieces of wood from a shop near the railway station. This appears from evidence of Mr. Miles Irving, Jiwanlal and Dr. Fauq. Moreover, no serious attempt appears to have been made to get the rural population to join in the disturbances. The official evidence is unanimous that the rural population, as a whole, had nothing to do with these disturbances. Lieutenant-Colonel Smithers, who, in charge of a mobile column, visited various places in the district of Lahore, says in his report to General Beynon: "My impression as regards the loyalty of the district was that outside the larger towns the country folk seemed contented. They were at the time busy in cutting their crops and did not appear interested in anything else. Most outlying villages had not even heard of the Rowlatt Bill. I never heard Lahore

mentioned in the district I traversed except that they had heard of riots there."

An examination of the progress of events in Amritsar and other places shows that the *anti*-Government or *anti*-British form that the disturbances took was a sudden development at the time. The Punjab Government testify to the fact that on the 30th March and 6th April when the *hartal* took place and on the 9th April which was the *Ram Naumi* day there was no hostility or even discourtesy shown at Amritsar to Europeans who moved freely through the crowd. On the other hand, when Mr. Miles Irving accidentally came across the *Ram Naumi* procession, a special mark of respect was shown to him. Further, when, on the news of the deportation of Drs. Kitchlew and Satyapal, the crowd assembled and tried to proceed to the Deputy Commissioner, they passed the banks and came across some Europeans but did not molest them. And the deplorable events in the city followed and did not precede the firing on the crowd at the Hall Gate Bridge. We mention this latter circumstance not as affording any excuse, much less a justification for the atrocities committed by the mob; but only as showing that the *anti*-Government and *anti*-British outburst was not previously designed, but was the result of the frenzy with which the crowds became seized at the moment. Mr. Miles Irving, the Deputy Commissioner of Amritsar, said "I cannot point to any fact existing before the 10th of April to suggest that in the beginning of April, there was any plot on the [redacted] any stratum of society in Amritsar to encourage violence ag[redacted] peans or upset the Local Government by violence."

Q. Would it be consistent with the facts as you know them [redacted] the outbreak of the 10th of April as the case of protest aga[redacted] deportation of Drs. Satyapal and Kitchlew which spontaneou[redacted] veloped into mob violence marked by murder and incendiarism?

A. I think that is a very good account. It spontaneously develope[redacted] it flared up in a moment. I do not think people went out with that design.

It is not incorrect to say that at Gujranwala, Kasur and other places the violent acts committed by the mob were more or less the result of a sudden determination to resort to such acts. In the town of Lahore itself the actual happenings in the way of destruction of life and property were of so trivial a character that it would be a misnomer to describe them as acts of rebellion. In fact, there was no damage done to any property, Government or private, and there was no attempt to attack Europeans as such.

13. There is no doubt that in some places there were serious riots and the mobs committed destruction of life and property in consequence of and as a mark of resentment, however unjustifiable, against Government and their conduct richly deserves the severest condemnation; but their intention was not to put an end to the British Government nor were the means adopted by them calculated to effect that. Their acts may amount in law to waging war under the Penal Code, but it was not rebellion in the sense in which it is ordinarily understood.

14. In this connection, it may be useful to refer to the behaviour of the people of the Punjab for some years preceding these events, in order to realize the improbability of their entertaining the idea of rebellion against the British Government. In the year 1914-15, soon after the war began, a considerable number of emigrants came to the Central Punjab from the United States, Canada and the Far East. They were infected with revolutionary ideas and were in deep plot, encouraged and helped by Germany. They had bomb factories both at Lahore and Amritsar, and they committed a large number of outrages, murdered officials and wrecked trains and communications. They printed and distributed considerable revolutionary literature and their declared object was *Ghadr, i.e.*, revolution. At that time the country was depleted of its Indian forces and it was an anxious time. On this emergency, the people of the Punjab, including the educated classes, actively ranged themselves on the side of law and order and those revolutionaries were put down and a large number of them were brought to justice. About 28 people were hanged and one hundred transported. In January and February 1915 organised disturbances on a large scale took place in South-Western Punjab, and a considerable number of murders and dacoities involving much destruction of property were perpetrated. The peasants were the aggressors in this disorder and some of them said that the British Government had come to an end and that they owed allegiance to the German Kaiser and the Amir of Afghanistan. On this occasion, too, an overwhelming majority of people remained loyal and almost all the respectable people helped the Government very much to restore order. The disorder was put down and a large number of offenders, about four thousand, were arrested and severely punished by capital sentences and sentences of transportation for life being passed on them. We have stated the above facts, as deposed to us both by Sir Michael O'Dwyer and Mr. Thompson and as mentioned in the Government administration reports. On both these occasions the people of the Punjab, if they had a mind to rebel against the Government, had opportunities thrown in their way for this purpose. Sir Michael O'Dwyer in his speech in September 1917 in the Indian Legislative Council said as follows :—" Hon'ble members are doubtless familiar with the serious dangers which menaced the security of the province during the first two years of the war, the *Ghadr* conspiracy and other real and covert movements, engineered by the King's enemies within or without India, with the object of subverting the Government, but, perhaps they are less familiar with the action, the prompt, vigorous and decisive action taken by the people of the Punjab, Muhammadans, Sikhs and Hindus, to range themselves on the side of law and order and to stamp out sedition and anarchy. There was no hesitation, no sitting on the fence, no mawkish sympathy with red-handed crime, no insincere apology for so-called misguided youths pursuing noble ideas, no subtle distinction between evolutionary and revolutionary patriotism." Further, the province, in the words of the Punjab Government, " made a response unequalled by any other part of India to the appeal for recruits and subscribed so freely to the War Loans that the province

ranked third in the list of contributors." Sir Michael O'Dwyer, in a speech made in the Punjab Legislative Council in April, 1917, said that he had every reason to rely on the people's loyalty and proverbial common sense, and acknowledged that " since the war began the people of the province, so far from doing anything to embarrass the Government, have rallied enthusiastically to its support." Speaking of the press he said that it had on the whole maintained a correct, loyal and helpful attitude. Referring to the various political and other associations in the province, he said that as a rule they had conducted their discussions and propaganda " with a sobriety and restraint befitting the anxious times." We think it extremely improbable that after the successful termination of the war, out of which Britain emerged more powerful than ever before, the people of the Punjab with their practical common sense would so suddenly abandon their sturdy loyalty that had actively asserted itself during the dark days of the war and think of starting a rebellion.

It was suggested that military efficiency of the British army in India was in the beginning of the year 1919 much less than that of the British army in 1914, 1915 or 1916, and General Hudson explained this to us. This is quite true, but it is too much to assume that the people of the Punjab understood or were influenced by this factor in starting a " rebellion." It may be useful to see what the district officials and others in close touch with the population have to say in this connection.

15. Mr. Kitchin, the Commissioner of Lahore and Amritsar, said that there was no *anti*-British feeling before the 10th of April and Mr. Miles Irving expressed the same view. Mr. Bosworth Smith, Deputy Commissioner in charge of Sheikhupura Sub-Division, says " There was no *anti*-British or *anti*-European feeling to any appreciable extent with the exception of the *Ghadr* movement which was exotic; the indigenous population was neither *anti*-British nor *anti*-European all these years." Lieutenant-Colonel O'Brien said that there was nothing to complain of before the 6th of April and that the people looked perfectly loyal ; he says he was told that some people read outside newspapers of an objectionable character. Captain Godfrey, who had worked as a missionary for many years in the Gujrat district and has, as he said, opportunities of intimately knowing the people, deposed that people were quiet, loyal and law-abiding and showed no *anti*-British feeling. The happenings of the 14th came as a surprise. Lala Khan Chand, *tahsildar* of Kasur, said that he did not observe any *anti*-Government or *anti*-British feeling amongst the people of Kasur, nor any seditious movement. Lieutenant-Colonel Smith, I.M.S., of Amritsar, said that the people were loyal and that he did not see signs of unrest or disloyalty. He said that there was political agitation going on from the beginning of 1919 but that he did not consider it a disquieting sign.

16. While there was no organised or concerted action to bring about the disorders and those disorders themselves were not in the nature of a rebellion, that is, done with the intention to overthrow the British

Government, the Punjab Government and its responsible officials and the military authorities had from the start persuaded themselves that they were the result of an organised and preconcerted rebellion; and they began to deal with the situation on the footing of there being a state of war, the towns in which these disorders had happened as being in rebellion and the whole population of these towns being rebels. And it is indeed on that footing that at any rate some of the measures taken by them can be explained. When the General Officer Commanding, the 16th (Lahore) Division, was informed about the disturbances at Delhi and thereupon took precautions about possible disorders at Lahore, the entry is made in a book headed a "War Diary"; and all subsequent events have been recorded in that book. No such title seems to have been adopted by the military authorities of Delhi and Ahmedabad although the events at the latter place were as bad as, if not worse than, the incidents at Amritsar. When intimation was first received at the Government House, Lahore, at 12-15 (noon) on the 10th April about Amritsar, the entry recording it was made in a book, headed the "Government House War Diary" and subsequent events were entered therein. A similar 'War Diary' seems to have been kept for Lahore beginning from the 10th April. Similar books seem to have also been kept for Kasur, Gujranwala and other places. Sir Michael O'Dwyer stated to us that he did not know that such Diaries were kept, and said that he would certainly not have approved of the title. In any event, it shows to a certain extent how some of those surrounding Sir Michael O'Dwyer looked at the matter. Mr. Kitchin, the Commissioner of Lahore, said that in April he had formed the opinion that there was a revolutionary movement behind the disturbances, though he had since modified his opinion. The same opinion was evidently held by General Beynon, Lieutenant-Colonel O'Brien, Mr. Bosworth Smith, Mr. Miles Irving and other officials. Sir Michael O'Dwyer himself in his written statement before us gave expression to the view that there was a widespread organisation. In his oral examination, he said as follows :—

Q. In your statement at page 10 you indicate the view that there was an organisation—a widespread organisation—on the 15th April. Your suggestion is that the whole country was involved. Do you still adhere to that or not ?

A. There were similar and simultaneous outbreaks in various parts of India as far apart as Bombay, Ahmedabad and Calcutta.

Q. Here the suggestion is that these disturbances at Ahmedabad and Calcutta and Bombay were part of one organisation. Do you adhere to that suggestion or do you wish to modify it ?

A. I still think there were certain people connected with those parts who were behind this organisation. I will not say it for certainty, but I think there were certain phases which showed that unless there was an organised movement all over the country and there had been some organisation, all this could not have occurred simultaneously. But I have no positive proof of this.

Q. Where was this central organisation ?

A. I have no proofs of it. But I am strongly inclined to believe that it did exist. There was some organisation.

Q. There was some central organisation directing these ? Certain phases of them. There was some common agency which worked out certain phases of the occurrences that took place ?

A. Yes ; that is what I believe.

Q. You have no evidence in support of this ?

A. I cannot give it. As I say, I left the province directly after those disorders were put down and did not have the opportunity of investigating the matter further.

CHAPTER III.

Martial Law Introduction and Continuance.

1. On the 13th April, the Punjab Government applied by wireless to the Government of India to establish martial law in the Districts of Amritsar and Lahore and to direct trial of offenders under Regulation X of 1804. The Government of India on the same date assented to the establishment of martial law " during the existence of open rebellion against the authority of Government." The message was received at Lahore the same day; and the proclamation establishing martial law in Lahore and Amritsar was issued on the 15th; it was extended to Gujranwala on the 16th, to Gujrat on the 19th, and to Lyallpur on the 24th April. The question then arises whether, under the circumstances existing on the 13th April, when the Punjab Government asked for the introduction of martial law in Lahore and Amritsar districts, such introduction was necessary. For this purpose reference must be made to the recognised principles with regard to the introduction in a given place of martial law.

Martial Law, Conception of, in English Law.

2. The view of martial law which Dicey upholds in his " Law of Constitution," is what has been termed the " Doctrine of immediate necessity." According to him, it therefore " comes into existence in times of invasion or insurrection when and in so far as the King's peace cannot be maintained by ordinary means and owes its existence to urgent and paramount necessity." It " originates in and is limited by the necessity of the war." Dicey quotes with approval the following from the case of *ex parte* Milligan 4 Wall 2 " A necessity creates the rule, so it limits its duration for if the Government (government by martial rule) is continued after the courts are reinstated it is a gross usurpation of power. Martial law can never exist where the courts are open and in the perfect unrestricted exercise of their jurisdiction." He also quotes Sir James Mackintosh to the following effect :—" The only principle on which the law of England tolerates what is called martial law is necessity; its introduction can be justified only by necessity; its continuance requires precisely the same justification of necessity; and if it survives the necessity on which alone it rests for a single minute, it becomes instantly a mere exercise of lawless violence. When foreign invasion or civil war renders it impossible for courts of law to sit, or to enforce the execution of their judgements, it becomes necessary to find some rude substitute for them, and to employ for that purpose the military, which is the only remaining force in the community. While the laws are silenced by the noise of arms, the rulers of the armed force

must punish, as equitably as they can, those crimes which threaten their own safety and that of society ; but no longer." These limitations and restrictions are essential because the maintenance of the legal rights of citizens is, as Dicey points out, itself a matter of the highest expediency. Sir James Stephen in his History of the Criminal Law of England says "that the term 'Martial Law' is applied to the Common Law right of the Crown and its representatives to repel force by force in case of invasion or insurrection and to act against invaders." After referring to various authorities he comes to the conclusion that "it is illegal for the Crown to resort to martial law as a special mode of punishing rebellion." He points out "how the force used against an invading army is used for the purpose not of punishment, but of conquest" and that the "Crown has an undoubted prerogative to carry on war against any army of rebels as it would against an invading army, and to exercise all such powers as might be necessary to suppress the rebellion and to restore the peace and to permit the common law to take effect." He sums up his views of martial law in general in the following proposition :—

"(1) Martial law is the assumption by officers of the Crown of absolute power, exercised by military force, for the suppression of an insurrection and the restoration of order and lawful authority."

"(2) The officers of the Crown are justified in any exertion of physical force, extending to the destruction of life and property to any extent, and in any manner that may be required for the purpose. They are not justified in the use of cruel and excessive means, but are liable civilly or criminally for such excesses. They are not justified in inflicting punishment after resistance is suppressed, and after the ordinary courts of justice can be re-opened."

Regulation X of 1804.

3. Regulation X of 1804 appears to have been based on a general recognition and acceptance of the above principles regarding martial law. The preamble recites the expediency during the existence of any war or open rebellion of dealing and establishing martial law for the safety of the British provinces and the security of the lives and property of the inhabitants thereof, by the immediate punishment of persons owing allegiance to the British Government who may be taken in arms in open hostility to Government or in the actual commission of any overt act of open rebellion or in the act of openly aiding or abetting the enemies of the British Government, and in conformity to these recitals the enacting part empowers the Governor-General in Council to establish martial law in any part of the British territories for any period of time while the Government shall be engaged in war as well as during the existence of open rebellion and to direct the immediate trial by courts-martial of people taken *flagrante delicto* in the commission of the acts mentioned in the preamble. And section 3 prescribes the punishment of immediate death and forfeiture of all property as the only punishment to be awarded

on conviction. The legislature thus carefully limited the jurisdiction of the courts-martial to cases clearly and indisputably of the highest criminality and of easiest proof. All cases depending upon circumstantial proof, and requiring either a detailed and complicated examination of facts and involving the discriminating process of drawing inferences from facts in themselves equivocal, were purposely withdrawn from the cognisance of these courts.

4. By Ordinance No. I of 1919 His Excellency the Governor-General took action under the Regulation X of 1804 and established martial law in the districts of Lahore and Amritsar but provided that every trial shall, instead of being held by a court-martial, be held by a commission composed in a manner therein provided. The trial by these commissions was, however, still limited to cases of persons as described in the said Regulation and charged with the offences as therein described, committed on or after the 13th April 1919. Ordinance No. II of 1919 enacted similar provisions for the district of Gujranwala. By Ordinance III of 1919, any court-martial or any commission appointed by previous Ordinances was empowered to pass sentences of transportation of life or any period for not less than 10 years or rigorous imprisonment for a term of not less than 7 years but not exceeding 14 years, instead of the death penalty which was the only penalty under the old Regulation; and the award of the penalty of forfeiture of property was made discretionary instead of compulsory as in the Regulation X of 1804. The Punjab Government, in their telegram of the 21st April, represented that the limitation of the trials by the Martial Law Tribunals only to offences as described in the Regulation and to those committed after the 13th April will not enable them to deal with the situation. The telegram said among other things "His Honour is strongly of opinion that we cannot effectively attack and break up the organization behind the disturbances unless the organisation can be dealt with under martial law. Apart from this, fixing date at 13th makes it very difficult to deal appropriately with the local leaders whose speeches during the preceding fortnight did so much to inflame the classes who have joined in the disturbances." In deference to the wishes of the Punjab Government, the Governor-General issued Ordinance IV of 1919, whereby it was enacted that any commission appointed under Ordinances Nos. I and II of 1919, shall try *any person* charged with *any offences* committed on or after the 30th March and the Commission may pass *any sentence* authorised by Law. It is obvious that this Ordinance altogether swept away the limitations and restrictions as regards the nature of offences appropriate to be tried by courts established under martial law, which, as shown above, are considered necessary by the recognised principles of English law and which were acted upon in enacting Regulation X of 1804. The trial by these special courts was no longer to be limited to persons caught in the act of actual rebellion, to simple and clear cases of undoubted criminality by reason of the offenders having been caught in the actual act, but was extended to complicated cases involving the difficult process of arriving at correct inference from equivocal facts. The original object of dealing with a state of open rebel-

tion thus receded in the background and the speedy trial of local leaders whose speeches were thought to have inflamed the classes who joined in the disturbances became the objective. It was legally competent for the Governor-General to promulgate these Ordinances, but the question remains whether the state of things existing in the affected districts was such as to justify the Punjab Government in asking the Government of India to declare martial law which involved the ordinary administration and the ordinary rights of liberty and justice and the safeguard enjoyed by the citizens of the districts in question under the ordinary laws.

State of things at Amritsar.

5. Taking Amritsar, where the disturbances first took place and were of the worst character, it appears that the outburst of the 10th April subsided in a few hours, there was no repetition of any serious incident afterwards either on that date or on subsequent dates. And even with regard to the events of the 10th, serious though they were, it must be remembered that if the officer in charge of 75 armed police at the Kotwali, instead of showing woeful inaction, had done his duty the worst crimes, *viz.*, the murders of the bank officers and the burning of the National Bank buildings which took place within sight of the Kotwali, would in all probability have been prevented. On the 10th there were available 100 armed police, 100 unarmed police, there were soldiers on the post and 260 Gurkhas were detrained and were armed from the armoury in the Fort. Reinforcements arrived from Lahore at 10-30 P.M. on the 10th, consisting of 400 rifles, and just before midnight the force entered the city and brought the refugees from the Kotwali. Major MacDonald's report shows that the streets were deserted and there were no crowds about Captain Massey in his report records: "The situation was quiet." 300 rifles arrived from Jullundur at 5 A.M. on the 11th. In the early morning of the 11th, Captain Massey records: "Various leading men of various denominations in the city called upon the Officer Commanding to obtain concessions for the purpose of making arrangements to bury their dead." The Deputy Commissioner decided that no large demonstrations would be allowed and these orders of the Deputy Commissioner were obeyed. Mr. Miles Irving says:— "The bodies were disposed of quietly according to our orders and there was no big procession." The police began their investigations on the 11th and arrests were made on that day. The fact that people were taking orders from the Deputy Commissioner and obeying them and the police were making investigations shows that the city was not out of the control of the authorities. This was long before General Dyer's arrival late that night. The war diary kept by Captain Briggs records under date 11th April, at 7-00 in the morning, "12 arrests made this morning;" and it appears from the same record that several important arrests including Bugga and Dinanath were made on the 12th; and a few arrests were made also on the 13th April. The same diary records under date the 11th and 12th, that it was "all quiet" at Amritsar. On the 12th of April considerable crowds came from the city to the shrines

outside the Sultanwind Gate and Mr. Miles Irving says that they went back in a peaceful manner and there was no assault on or stone throwing at the military that were there. On the 12th the authorities were able to spare a small force and sent it to Tarn Taran. On the 12th Mr. Miles Irving issued notices prohibiting processions and gatherings. These notices were evidently printed in the city and were distributed by the civil authorities. Ashraf Khan, the city police inspector, was moving about the city. People from the city were coming to the officials from time to time. On the 11th, 12th and 13th the ordinary police were in the city, the night beat had been removed. On the 13th the Seditious Meetings Act was extended to Amritsar. On that day took place the shooting by General Dyer of the people assembled at the Jallianwala Bagh. The Punjab Government and all the official witnesses have claimed that that act of General Dyer crushed the rebellion in the whole province. Mr. Miles Irving says that all trouble ceased after that in Amritsar and throughout the district and that the history of the rising henceforward is the record of progress of bringing offenders to justice. If that is true the need for the introduction of martial law had apparently ceased. On the 14th April, a meeting of the influential citizens of the city was held at which General Dyer and the Deputy Commissioner were present and it was arranged that shops should be opened. There was no *hartal* on the 15th. On the 16th the Deputy Commissioner held a Durbar at Tarn Taran and similar durbars were held at other towns. Under date 16th April, Captain Briggs records "situation from the 15th April 1919 well in hand. No crimes or damages to report in Amritsar district," and on subsequent days right up to the end of April is to be found the entry "all quiet." General Dyer in his report to the General Staff, 16th (Indian) Division, speaking of the events of the 13th April records that the city very quickly assumed normal conditions and was soon the pattern of law and order."

During all these days, according to Lieutenant-Colonel Henry Smith people from the city were visiting the hospitals; and he says in his evidence that on the 14th all people came and offered help.

On the 21st, 24th and 28th April, General Dyer held durbars at various places and he says he found everybody loyal. With regard to the attack on the Cheharta station which took place on the 10th, it was mostly with a view to loot as was the case also at Tarn Taran. Mr. Miles Irving says that all that happened was that the people smashed the station windows and looted the contents of four wagons of a goods train.

It is said that there were apprehensions about the villagers coming to loot. It is not established that any villagers in fact made any attempt to attack Amritsar for the purpose of looting.

It was suggested that the people of Amritsar were organising themselves, the implication being that they were doing this in order to defy the authorities. Mr. Miles Irving, however, told us that the inhabitants were trying to protect themselves against possible looting. It appears

that, in consequence of the police night beat having been withdrawn volunteers with bamboo sticks were organised on the 11th to watch the streets at night to prevent thefts being committed. At Tarn Taran a crowd had assembled with the object of looting the treasury but was dispersed by a few constables.

State of things at Lahore.

6. At Lahore there were no serious disturbances as already observed, or any destruction of life or property. Nothing new happened there after the 12th April. On the 10th in the evening there was a garden party in the Lawrence Gardens given by Sir Michael O'Dwyer, when the people from the town attended. On the 12th of April, Sir Michael O'Dwyer was entertained at dinner by Sir Zulfiqar Ali Khan at which several leading people were present. On the 14th a big durbar was held by Sir Michael O'Dwyer when people from various districts attended.

On the 11th of April the Deputy Commissioner and Superintendent of Police had two conferences with leading men of the city at the telegraph office with regard to the *hartal* and the question of the burying of the dead. On the 11th there was a meeting at Government House when the Hon'ble Mr. Shafi, Raja Narendra Nath and other prominent people were present to consider the matter of the *hartal*. On the 12th there were two meetings—one at the Hon'ble Mr. Shafi's house and another at the Town Hall where the Deputy Commissioner was present. On the 12th Lieutenant-Colonel Johnson marched through the city and posted pickets. On the 13th there was another meeting at the Town Hall in connection with the *hartal* where the Deputy Commissioner was present. On the 14th the authorities arrested and deported Lala Har Kishan Lal and Rambhuj Dutt and Duni Chand. Rai Bahadur Bakhshi Sohan Lal said that by the efforts of himself and others some shops were opened on the 14th and there was further improvement on the 15th and that even without martial law they would have succeeded in ending the *hartal*. Mr. Fergusson, the Registrar of the High Court, who gave evidence, said that the High Court and the other courts went on working as usual during the whole time and that there was no period in which they did not work in consequence of the riots. In Lahore the military strength on the 15th of April was 406 British troops, 250 Indian Defence Force (European section), 381 Indian troops, 460 armed police, 800 unarmed police and 3 armoured cars. By the 20th more British troops came, making an aggregate of more than 1,000.

State of things at Kasur.

7. At Kasur, after the serious occurrences on the 12th, nothing further happened afterwards. Lieutenant-Colonel McRae arrived in Kasur with troops from Ferozepore at 2 P.M., on the 12th of April. Investigations were immediately commenced. Some arrests were made that very day. The evidence shows that the mob that committed violence on the station on the 12th of April consisted mainly of sweepers, skin-dyers and low class people.

At Patti nothing further happened after the 12th. The town consists chiefly of Moghuls, a considerable number of whom are employed in

the Army and are throughout loyal. There were no respectable persons among the rioters.

At Khem Karan an attempt was made by hooligans to loot the station on the 12th but they were dispersed by the cultivators in the fields who were called in assistance by the Police Sub-Inspector, nothing further happened after that. The courts resumed their ordinary business from the 12th April and practically things were normal after that date.

State of things at Gujranwala.

8. At Gujranwala, after the occurrences of the 14th April, things were quiet. The aeroplanes operated in the afternoon and troops arrived at 9 P.M. Attacks on railway stations and telegraph lines took place mostly from the 14th and 15th at various places in the district of Gujranwala including Sheikhupura sub-division. These disorders were the result of the sensational reports about the Jallianwala Bagh incident and other rumours about the happenings at Amritsar, *e.g.*, the damaging of the golden temple which threw the people into a state of excitement. Everything was quiet in a short time. There was no difficulty about arresting the offenders, and except at Chuharkana the local police were able to deal with the situation and restore quiet.

A large number of arrests were made on the 15th April.

State of things at Gujrat.

9. Turning to Gujrat where martial law was notified by the Punjab Government on the 19th April, it having been applied for on the 18th, the Deputy Commissioner did not act upon it at once. On getting the order he wired as follows :—" Surprised to be informed by Government that martial law has been extended to Gujrat. The district is quiet. General Brigade Jhelum had received no order and agrees with me that martial law is not necessary." The following entries in the war diaries of the Jhelum and Rawalpindi sections of the 2nd Division respectively are instructive : " 20th April. Deputy Commissioner, Gujrat, informed Jhelum martial law had been ordered for Gujrat. Neither General Officer Commanding nor Deputy Commissioner approve and the Deputy Commissioner wired accordingly to the Punjab Government." " 22nd April. The Deputy Commissioner received orders that martial law had been extended to the Gujrat district. It was not proclaimed as the Deputy Commissioner thought it must be a mistake and meant for the Gujrat district near Bombay. The Deputy Commissioner is quite satisfied with the situation at the present moment and does not expect any more outbreaks."

The Deputy Commissioner in charge of the district considered the state of his district so quiet and peaceful that he considered the introduction of martial law in his district to be inconceivable and he thought that the Gujrat in the notification must be Gujrat in the Bombay Presidency. And, owing to this view of his that there was misapprehension in sending the orders to him, he actually delayed giving effect to them. Even after its introduction the Deputy Commissioner wired on the 22nd of April to the Punjab Government urging its suspension.

In his evidence before us the Deputy Commissioner says that " in the attitude that he took up as narrated above he had confined his attention only to the state of his district and had not considered the general situation and that now doing so he was of opinion that the introduction of martial law was a wise precaution."

Q. Then in your opinion was it advisable that there should be martial law ?

A. It was not necessary for the quelling of riots or disturbances. It was a precaution against further troubles ; it was a very wise precaution.

Sir Michael O'Dwyer in his evidence before us admitted that the district and all those places were quiet. Indeed he said that all villages everywhere were absolutely quiet and that it was only along the railway line that the disorder manifested itself.

State of things at Lyallpur.

10. In the district of Lyallpur martial law was proclaimed on the 24th of April, having been applied for on the 21st and sanctioned on the 22nd April. The district was absolutely quiet at the time. Sir Michael O'Dwyer referred to the burning of a stack of *bhusa*. This happened after the introduction of martial law and it was not established that it was the work of the rioters and on that ground it appears that the claim of the railway for compensation was disallowed. Mr. Smith, Superintendent of Police, says that the introduction of martial law was desirable but not essential. There were only petty disturbances and they had all ceased by the 19th of April.

11. The above facts show that so far as the actual state of affairs was concerned there was no necessity for the introduction of martial law. The disturbances had been quelled, no doubt, by calling in the aid of the military, and on the 13th when the Punjab Government moved the Government of India and on the 15th when martial law was actually proclaimed at Lahore and Amritsar and later at other places, there were no actual disturbances at those places which required such a step to be taken. The military by whose aid peace and order had been restored were available if any emergency arose. The authority of Government had been vindicated, and the people had realized that any disturbances of the character indulged in could be effectively put down by the strong arm of the Government.

Mr. Kitchin, the Commissioner of Lahore, who as such was in charge of the Districts of Amritsar, Lahore and Gujranwala says in his examination as follows :—

Q. If there were no other considerations the civil authority could soon after the 11th that is, on the 12th, 13th or 14th as the case may be, have taken back control and carried on with such aid as might have been necessary from the military ?

A. Yes, in individual places.

Q. According to your statement in almost all places ?

A. Yes.

Q. But your view is that martial law was wanted not for the purpose of getting control but for the purpose of what you describe as preventing the spread of infection ?

A. Yes.

Q. And that is your only justification for martial law being declared ?

A. That was the immediate reason.

Q. And also I take it the second important reason from your point of view was to provide for the speedy disposal of the cases of persons who had already been arrested between the 10th and 13th ?

A. That is a reason which weighed with me, I have no reason to suppose it weighed with any one else.

Q. In your view those were the two main reasons for the declaration of martial law, preventing the spread of infection and finding some speedy method of disposing of the cases of persons already arrested ?

A. Yes.

The Government had at their command the emergency powers under the Defence of India Act and the Seditious Meetings Act and there would not have been the least difficulty in obtaining immediate sanction for any particular measure necessary to be taken under them. The military forces were standing by, ready to arrest if any sudden emergency arose. All that was necessary to be done in order to quell the disturbances had already been done by the civil authorities and all measures of immediate necessity like the Curfew order and the like had been taken before the introduction of martial law.

Similar orders as has been pointed out were issued at Ahmedabad without introducing martial law. We think that almost all of the orders issued from time to time by the military administrator and deemed necessary were possible to be issued under existing emergency legislation. A considerable number of those orders however were, as has been hereafter pointed out, unnecessary, unwise and uncalled for, and the population would have been saved the hardship and bitterness caused by them if the civil administration had not been superseded in the manner it was and of the military administration with all its attendant rigour had not been inaugurated.

Martial law, it thus appears, was invoked not for the purpose of quelling actual disturbances or riots but for the purpose of preventing the recrudescence of such disturbances or, as Mr. Kitchin put it, "to prevent the spread of infection" and for the purpose of creating a machinery for the speedy trial of the large number of people that had been arrested and of those whose arrests were contemplated. The idea of punishing the population of the places where these disturbances had occurred, by giving them a taste of martial law, was also not quite absent from the minds of the authorities. The Punjab Government, in justifying the introduction of martial law, say in their case as follows :—"In order to re-establish order, to safeguard communications, to effect

that change of *morale* which was essential to the restriction of civil orders, a new type of administration was for a time required." Speaking of Amritsar they say " martial law was established in the district with effect from the 15th April. The actual disturbances were over, but the proclamation afforded an effective and speedy means of restoring normal conditions. Nor is it possible that, had the civil authorities been confined to the ordinary resources of the criminal law, they would have been able to deal as quickly and as effectively with the investigation into and the disposal of cases arising out of the many outrages committed on the 10th April." In speaking about Kasur, they say, " it is clear that the administration of martial law had a useful disciplinary effect." In referring to Lyallpur, they say, " the measure constituted a salutary but not a severe discipline in restoring normal conditions." They further say that " the proclamation of martial law was probably the most direct and efficacious method of dispelling the unrest."

About Gujrat they say that " the justification for the introduction of martial law lay in preventing the recrudescences of interfering with the communications."

Mr. Thompson, in his examination, says as follows :—

Q. What you expected to do by martial law was speedy and summary trials. That was the particular thing that martial law effected ?

A. That was one great thing that it effected.

Q. That was the great object that had to be achieved in your mind in asking for martial law ?

A. It was one great object.

Thus the main objects of the introduction of martial law were (1) preventive, (2) securing speedy trials and punishment of persons arrested and to be arrested, and (3) punitive. We think that the introduction of martial law merely as a preventive measure is not justified. In fact there was not much fear of the recrudescence of the disturbances which were short-lived and the situation was well in hand and was capable of being dealt with without taking the extreme step of introducing martial law. The speedy trial and punishment of offenders could have, if thought desirable, been secured by other means and cannot be a sufficient justification for introducing martial law. It must be remembered what the speedy trial of accused persons necessarily meant. Mr. Rehill, the Superintendent of Police, admits that the work of prosecution and securing convictions was greatly simplified by the lower standard of evidence that was required by the military courts. The same idea underlies what the Deputy Commissioner of Lyallpur said in his letter to the Chief Secretary to the Punjab Government when in the end of May it was proposed to end martial law there with the result that the cases pending for trial before summary courts would have been tried by the ordinary courts. He said " it would be a disaster if any of the cases had to be tried as ordinary cases." To suggest that martial law may be introduced as a punitive measure is, on the face of it, indefensible. In dealing with the report and the findings of the Royal Commission

that was appointed to enquire into the disturbances and the measures taken in the course of their suppression by the Governor of Jamaica, His Majesty's Government in their despatch said as follows :—" Future good government is not the object of martial law. Example and punishment are not its objects ; its severities can only be justified when and so far as they are absolutely necessary for the immediate re-establishment of the public safety." They expressed the view that the continuance of martial law beyond the period of immediate necessity for the restoration of public safety constituted a grave and unjustifiable interference with " the equal constitutional privileges by which the security of life and property is provided for."

Safety of communications.

12. Coming to one part of the preventive aspect of martial law, *viz.*, safeguarding of the communications, which was no doubt an important matter, it is necessary to know accurately what was the state of things in regard to this matter at the time martial law was introduced, and whether the security of communications could not have been achieved without proclaiming martial law throughout large areas. While the attacks on communications look formidable by their mere numbers, some of them were of a very trivial character. No doubt, there had been the cutting of telegraph wires and the burning of railway stations ; but the result of all this in crippling the means of communications was not as great as at first sight it might appear. The Agent of the North-Western Railway in an appendix to his report, dated the 2nd July 1919, sums up the situation as follows :—" The effect of the disturbance was to paralyse the railway as a commercial system for the period say 10th to 21st April ; as an instrument of Government administration for transport the railway was not paralysed. The outbreak in that respect signally failed." Moreover, soon after the disorders first broke out, a scheme of guarding the railway line by village patrol called the *thikri pehra* was worked out on the 13th April and was put into operation. It may be mentioned that the institution of such village patrols can be made under Act VIII of 1918. Sir Michael O'Dwyer says that this patrol system was in working order at the time martial law was introduced there. The evidence is unanimous that the villagers remained steadfastly loyal and the work done by them in guarding the railways was admirable. General Beynon in his report says that :—

> " Arrangements were also made by the local Government for villages to find five men per mile for the protection of railways in their area. It should be noted that there were no more cases of damage to railways in this area after this measure had been put into force. These measures were completed by the 18th April."

Sir Michael O'Dwyer said in his evidence before us " It would have served our purpose in the beginning if we imposed martial law on railway areas running through the Punjab in districts like Gujrat. The difficulty arose in connection with railway jurisdiction as in many cases the

line run through Native States." It has not been made clear to us what the actual difficulty was but it was one capable of being removed; for at a later period martial law was limited only to the railways. With regard to the attack on communications it must be remembered that a considerable number of the railway employees, specially the telegraph signallers and assistant stationmasters and guards, were for a long time discontented with their salaries and they were threatening to strike: it is not therefore certain that the attack on communications was wholly the work of the rioters. And it must also be borne in mind that the largely operative reason for cutting the railway line and attacking stations was to stop the goods trains and secure loot. This appears from the evidence of Mr. Rehill.

Nine reasons of Sir Michael O'Dwyer (1) and (2). Reduced military efficiency of troops.

13. Turning to the nine reasons given by Sir Michael O'Dwyer in his evidence before us, the first two relate to the reduced military efficiency of troops, both European and Indian, then in the province; but that circumstance cannot in our opinion be a reason for the introduction of martial law, if the actual state of the district in which it was introduced was not of such a character as to invite its application. It must also be remembered that except at Amritsar the disturbances were quelled by the police force; the troops had not to fire at any place except at Amritsar. It is also beyond doubt that at all places a handful of armed men were able to disperse the rioters. The arrival of the troops at various places was quite sufficient to stop any recrudescence. However reduced the military efficiency of the troops might have been they were amply sufficient to deal with unarmed mobs and control the situation. The argument that with martial law you are in a stronger position to preserve order with 500 soldiers than you are with 2,000 soldiers without martil law is, we think, overdone As already stated, even before the introduction of martial law in most places a small number of troops and even the police themselves were able to restore order and, on the evidence before us, we do not think it can be said that the state of the five districts was at any time such as to require the employment of any large number of troops.

(3) Attempts to seduce troops.

The third reason, *viz.*, the attempts to seduce troops of their loyalty is not an effective reason. It was stated to us especially by General Hudson that there was no especial significance about these attempts and that they were of the same character as normally occur. In reply to a question by the President, General Hudson stated that "as far as organised attempts (to seduce the troops) are concerned, I do not think there was any." The following is his further examination on the point:—

Q. With regard to the attempts to tamper with the Indian troops, I understood you to say that there was no organised or serious attempt in that way at all?

A. I do not think so.

Q. I mean that such cases as you had were always happening all these years ?

A. I should certainly say it was above the normal, but on the other hand, when you are looking out for stray cases, you will always find them, and we were on the look-out then.

(4) Presence of demobilized men.

The fourth circumstance relied upon by Sir Michael O'Dwyer was that there were in the Punjab some 100 to 150,000 demobilized men, and if they had joined the mob it would have aggravated the disorders. The fact is that at no place did these people display any desire to take a hand in the disorders; and the mere possibility of these joining at some future period cannot be regarded as a valid reason for the introduction of martial law. We must observe that the point taken up by Sir Michael O'Dwyer with regard to these demobilized men is somewhat inconsistent. On the one hand he claims that throughout they behaved well and were a source of strength in maintaining order; and on the other hand, their existence is relied on as an element of danger sufficient to justify the introduction of martial law.

(5) The Sikh immigrants.

The fifth circumstance given by Sir Michael O'Dwyer that the Sikh immigrants who at one time had been under the influence of the *Ghadr* movement and been released from detention might participate in the disorders. As early as April 1917, Sir Michael O'Dwyer in his speech in the Legislative Council, speaking about these immigrants, had said as follows :—

"In a great majority of cases the pernicious teachings had produced no effect and in 6,000 cases no special action was taken by the Government. In about 1,600 cases it was found desirable on the advice of the local Sikh committee to restrict them to their villages, and in some cases security was also taken. Our leniency was sometime abused as a score or more defied our orders and took part in the revolutionary movement two years ago. The great majority had settled down peaceably and acting on the recommendations of the Sikh committee who have been of such a help to us, restriction orders are steadily being commuted." The existence in the Punjab of these 1,600 Sikhs who had settled down as early as 1916 and had given no indication of their taking any part in any disorders cannot in our opinion be accepted as a reason for the introduction of martial law.

(6) Signs of revolutionary movement.

The sixth reason refers to the old conspiracy and what is called the general revolutionary movement which manifested itself in the bomb thrown at the Viceroy at Delhi; and Sir Michael O'Dwyer says that "the signs of these movements were not yet dead." This obviously is too vague a reason for taking such a drastic step as the introduction of martial law. The evidence placed before us does not indicate that these movements were in any sense alive or that they played any part in these disturbances.

The seventh circumstance relied on by Sir Michael O'Dwyer is the anxiety as regards the effect of the Turkish Peace terms on the Moslim population and the state of ferment in Afghanistan and on the frontier. Sir Micheal O'Dwyer however has said in his evidence that he was not very much concerned in this connection, in the Punjab, because he had tested the Muhammadans as highly as any people could be tested and he felt sure that the Muhammadans would stand the test. The Afghan situation had not materialized at this stage.

(7) Turkey and Muhammadans.

The eighth circumstance relied on by him is that a general railway strike was contemplated. This was due to internal discontent and had been apprehended for a considerable time prior to the disturbances. The evidence does not establish that in any sense it was connected with these disturbances or prompted by the people who took part in them. That was a situation which required to be dealt with on its own merits and separately by adopting the necessary measures, and affords no ground in our view for the introduction of martial law in large areas unless it was otherwise necessary.

(8) Railway strike.

Ninthly, reliance is placed on the economic situation especially in the towns which created an atmosphere of discontent. That again is obviously no reason for the introduction of martial law. Then, while each of these nine grounds is insufficient as shown above to justify the introduction of martial law, their cumulative effect is not in our view such as to lead to a conclusion in favour of such introduction. The real test for the determination of the question is, as already indicated, whether such a state of open rebellion or acute disturbances existed in the districts in question, so as to make the supersession of the ordinary administration by the Military one a necessity. We have already stated above that in our view such was not the case. The gravity of the occurrences themselves of the 10th April and subsequent days are relied on as constituting the necessity for the measure. It is said from the occurrences themselves that had already taken place, the legitimate and natural inference to be drawn is that the districts affected were in a state of open rebellion. No doubt the occurrences in some places were of a serious character. But these disorders had been effectively put down. There were still the after-effects and excitement which naturally result from such occurrences. But what was before the authorities on the 13th or on the 15th April and thereafter was nothing like what they had already dealt with.

(9) Economic situation of the Punjab.

14. With regard to the disorders of the 10th and 12th of April, the authorities were to a certain extent taken by surprise but by this time the military dispositions and other necessary precautionary measures were organised. The situation, it appears, was well in hand and in our view there was no imperative necessity of superseding the civil authority who could have effectively carried on with the aid, if

The military in aid of the civil authority.

necessary, of the military, if any sudden emergency arose. It is said that such aid by the military is given only to assist the civil authority in quelling riots, in dispersing unlawful assemblies and in preventing the gathering of such assemblies, but their power of restoring order is entirely restricted. Section 130(2) of the Criminal Procedure Code gives them somewhat wide powers.

All the action that was taken by the military authorities before the declaration of martial law in Amritsar, Lahore and Gujranwala has been treated by the Punjab Government as done in the aid of the civil authorities. They say " In these districts there was a preliminary period when the Officers Commanding troops were called upon to take steps in assistance of the civil power, and in other districts troops were called in and were utilized in various ways and in various degrees for the maintenance of order. The legal sanction covering the actions of the Commanders was that their aid was requisitioned by the civil authorities for the restoration of order." If the actual disturbances were so quelled by the assistance of the military and the civil authorities had by such assistance practically regained control, it appears to us no sufficient reason why at a time when there were no actual disturbances the civil administration should have been superseded by introducing martial law and keeping it on for a lengthened period.

Maine's dictum inapplicable.

15. Reliance is placed in the Majority Report on a passage from " Maine's Criminal Law of India." We venture to think it is profitless to make reference to a general proposition which no one disputes. The difficulty lies in the application of it in a given case. The first proposition invoked is that what distinguishes a riot which is the beginning of waging or levying war from a riot which will end in plunder and broken heads is the object with which it started. Of course, if the assumption is made that these riots were started with the object of rebellion, then nothing remains ; but that is the very question to be determined. The other proposition invoked is that the governor who waits to recognise a rebellion till it looks like a war will probably find that he has waited too long. Here again, everything must depend on the actual facts and circumstances. There are dangers of waiting too long, but there are also dangers, perhaps greater, of being hasty and losing the proper perspective and adopting measures of unnecessary severity out of all proportion to the reality of the situation and thus bringing about the very result which you want to prevent.

Mrs. Besant and the Punjab.

It is equally profitless for the purpose of establishing that the happenings in the Punjab were the actions of revolutionaries to cite the dictum of Mrs. Besant in a letter to the " *Times of India* " of the 18th April 1919. We are unable to see the utility of appealing to the pronouncement of Mrs. Besant, made within a few days of the occurrences with absolutely imperfect knowledge of those occurrences and of the surrounding circumstances, for the purpose of supporting the conclusions of a committee that has for months investigated the occurrences

and heard a large body of evidence. We do not know whether those who have invoked the authority of this dictum of Mrs. Besant will be prepared to accept her judgment on the Punjab disturbances, pronounced by her on the 21st of December, 1919, to the following effect :— "I have been shocked to read the evidence given by the military witness before the Hunter Committee. Nothing more than is recorded out of their own mouths was done by the Germans in Belgium."

Situation as a whole.

Then it is said that the action of the Punjab Government in applying for martial law must be judged in the light of the circumstances as they presented themselves at that time. We have already fully dealt with all these circumstances as stated before us by Sir Michael O'Dwyer ; and we cannot avoid the impression that the then Punjab Government rather easily persuaded themselves that the introduction of martial law was necessary.

Martial temperament in the Punjab.

The argument is advanced that the people of the Punjab being of a martial temperament are easily inflammable. The picture given by Sir Michael O'Dwyer of the Punjabis is quite different. In his speech in September 1917 he said that "Common sense and sanity of judgment are essentially Punjab qualities" and those being also British qualities has led to "mutual comprehension, mutual confidence and mutual co-operation between the Government and the people."

Martial law not invoked in 1914 and 1915.

We have referred to the revolutionary movements of a serious and dangerous character that manifested themselves in the Punjab in 1914 and 1915. At that time although strong measures for dealing with them were taken martial law was never introduced.

General Beynon and martial law.

It may be pointed out here that in the wireless of the 13th of April the Punjab Government in suggesting the declaration of martial law said that they were doing so "with concurrence of General Officer Commanding and Chief Justice, High Court." The General Officer Commanding, General Beynon, was asked about this and the following is his evidence on this point :—

Q. That proclamation was signed by you on the 19th of April. You had been the highest military officer in this part of the world for some substantial time before that, and may I take it that you gave advice upon the question whether martial law was necessary before the question was referred to the Government of India at all ?

A. It was mentioned to me but I do not think you can really say my advice was given. At all events I had nothing to do with the bringing in of martial law.

It appears from Mr. Thomson's evidence that the Chief Justice, when he agreed over the telephone to the suspension of the functions of the ordinary Criminal Courts, did not know the actual number of

criminals to be dealt with, but he based his opinion on "the general state of affairs—existence of rebellion, etc."

Loot the object of attacks on communications.

General Beynon also says in his report that the mob wanted loot and the easiest way to get that was to smash up a small wayside station and hold up a train going through and loot it. He further says that the raiders did not attempt to destroy bridges except for burning sleepers on unprotected small ones, nor did they even appear where there was any force sufficient to do them any material damage.

The Government of India.

Then it is said that we must look at the situation as it presented itself to the Government of India at the time; and a passage in the memorandum by the Government of India is relied on in the Majority Report. Reference is there made to the disturbances at Bombay, Ahmedabad and Calcutta. The matter was apparently represented as a big affair with ramifications in the various parts of the country; and the Punjab Government had said that a state of open rebellion existed in certain parts of the province.

We appreciate the position in which the Government of India were placed when the Lieutenant-Governor in charge of the Punjab insisted upon the introduction of martial law. The Government of India accepted the recommendation of the Punjab Government. This is what General Hudson says :—

Q. What was there which induced the authorities at headquarters to think that martial law was necessary ?

A. Martial law was considered necessary because the people who were in touch said it was.

Q. It was really thought necessary in view of the internal state of the places themselves as it was represented by the people on the spot.

A. Absolutely.

Continuance of martial law.

16. If our view is correct that it was not necessary to introduce martial law on different dates on which it was introduced in the different places, it will follow that its continuance for the period for which it was continued was still less justifiable. Assuming for this purpose that its initial introduction was necessary, we are clearly of opinion, on the evidence placed before us, that it should not have been continued beyond a few days.

We have already referred in detail to the course of events at the various places which shows that quiet was completely restored and things became normal at all places in a few days. Colonel Johnson admitted that after the 15th of April there was no rising anywhere. General Dyer's evidence is as follows :—

Q. At what time do you say Amritsar became normal after the 13th of April ?

A. Very shortly after. The good efforts of the barristers and the pleaders and the police brought it right."

In another part of his evidence will be found the following questions and answers :—

Q. Can you tell us what was the need for continuing martial law for the period for which it was continued ?

A. No harm would be done. Martial law was being justly administered. It was not my job to discontinue martial law. I received my orders from higher authorities.

Q. I take it from you that martial law was continued because no harm was done and it was justly administered but there was no particular necessity for continuing it ?

A. As far as I could see law and order had come and I suppose there was an interval when martial law was not necessary but it may have continued to go on for a bit longer.

In a proclamation issued by the Lieutenant-Governor on the 26th of April at Lahore he said " Order has been restored almost everywhere by the prompt action of the troops—British and Indian—whom the mischief-makers attempted to malign and by the loyal co-operation of the quiet mass of rural population. Existing precautions must however be retained till all criminals are brought to justice."

The Punjab Government in their case presented to us, say " on the 16th of April order began to slowly assert itself. No large town was henceforth seriously affected, and the disorder was confined to isolated attacks on the communications and to outrages by the villagers. The 17th April showed a further progress in the recovery of law and order. On the 19th, the matters may be said to have returned to the normal in the greater part of the province." " There is no further record of open disorder." They again say " In Amritsar and Lahore, the civil authorities had already on April 15th requisitioned the aid of the military and obtained it in sufficient force to crush any active disorder. For Gujranwala, additional troops were easily available on the 16th. In Gujrat and Lyallpur open disorders had terminated some days before martial law was declared." In speaking of Lahore, they say, " the actual period of disorder may be said to have ended with the termination of *hartal.*" The *hartal* at Lahore ended on the 17th, the shops were opened. It also appears that a considerable body of opinion had immediately asserted itself in favour of law and order. The Punjab Government in their report say :—

" Even before the actual restoration of order, there had been many proofs that responsible and moderate opinion was declaring itself against the campaign of lawlessness. On the 13th April the Hon'ble Sardar Bahadur Gujjan Singh issued a manifesto exhorting Sikhs to stand aloof from the agitation. On the 17th two manifestos issued from Rohtak contradicting the unfounded rumours in regard to the Rowlatt Act that were current in the villages ; on the 18th a manifesto signed by a number of prominent men in Gurdaspur advocated a return to order. A similar manifesto issued from Ferozepore District. On the 20th a number of Muhammadans in Lahore, on behalf of the leading Muham-

madan Associations, condemned the passive resistance movement and its results. On the 21st a manifesto issued from the Chief Khalsa Dewan, the chief political organization of the Sikhs, urging the latter to stand by Government. On the 24th the Punjab Zemindars' Central Association, Lahore, impressed on all landholders the paramount necessity of putting an end to " the sad conditions resulting from the passive resistance movement," and on the 25th the leading Hindus of Lahore issued a manifesto condemning in the strongest terms all resistence to law and order, whether active or passive. A similar manifesto was also issued by the Anjuman-i-Ahmediyá, Lahore. On the 23rd May, the Pirs of the chief Muhammadan shrines in the Punjab assembled at Lahore and expressed their sense of loyalty to Government and their condemnation of the recent disturbances."

The reasons for continuing martial law, after the disorders had ceased, are stated by the Punjab Government thus :—" The course of martial law administration subsequent to that (termination of disorder) was really in nature a substitute of civil administration of a summary type, of which the primary objects were to establish a *morale* which would afford a guarantee against the recrudescence of disorder, to safeguard railway and telegraph communications against further interruptions and to restore the position of Government as the guarantor of peace and good order which had been sacrificed between the 10th and 17th April." In so far as the object to be achieved was the establishment of a proper *morale* and to restore the position of the Government, by which we suppose is meant to restore the prestige of Government, we do not think it affords a sufficient justification for subjecting the whole population of large districts to martial law administration. As regards safeguarding the communications we have already pointed out that it had already been effectively secured : and any further safeguard, if necessary, could have been secured by continuing martial law on the rai'ways.

Sir Michael O'Dwyer's reasons for continuing martial law, after disorders had ceased, are the same nine reasons which we gave for the initial introduction of martial law and we have sufficiently dealt with them in a previous section. We may observe that some of these reasons, particularly 3 to 6, had lost much of their force by the experience of the period between the 10th and the 20th as none of the apprehensions underlying these reasons had materialized.

The Government of India were, it appears, urging upon the Punjab Government that the continuance of martial law in any area must depend on the continuance of a state of rebellion in that area. When in their telegram of the 26th April, in urging the establishment of summary courts for the disposal of minor offences the Punjab Government said that unless that was done martial law might unnecessarily be protracted, because the powers of the commissions depended on the existence of martial law and those commissions would not be able to dispose of all

the cases speedily, the Government of India in their reply of the 29th April said as follows :—

> " Government of India think termination of martial law in any area must depend entirely on continuance of state of rebellion in that area ; and the fact that cases are pending before courts established under Regulation is not an adequate reason for suspension of ordinary law."

It appears from Sir Michael O'Dwyer's evidence that the Government of India enquired on the 3rd May if martial law could not then be withdrawn. The Punjab Government held on the 14th May 1919 a conference with the military and railway authorities and prepared a memorandum in reply.

A careful perusal of that memorandum is instructive. In our opinion, the question was discussed from altogether a wrong point of view. The real question to discuss was as put by the Government of India, whether there was such a state of rebellion in the districts in question as to justify the continuance of martial law. Instead of that, the matter was considered from the point of view as to what the advantages were that were to be derived from the continuance of martial law. The memorandum after discussing the question from the military and railway points of view (we have already dealt with these points), says :—

" From the civil point of view it was considered that the following advantages are being derived from the continuance of martial law :— (1) It has undoubtedly a steadying effect on the population not only within the martial law areas but also outside. (2) In Lahore the fixing of prices is popular with the masses. If martial law were discontinued this would have to be done by means of a special Ordinance. (3) It is proposed to recover from the disturbed areas by means of a levy made under martial law a sufficient amount to cover certain incidental expenses which cannot be recovered by claims under Section 15-A of the Police Act. Among items which have been suggested are :—

(*i*) the cost of military operations ;

(*ii*) the cost of extra defences which the disturbances have shown to be necessary, *e.g.*, at the Lahore telegraph office and the power station ;

(*iii*) the cost of sending women and children out of the disturbed area and maintaining them in the hills (orders sanctioning a levy for this purpose have already been issued in certain cases though as far as is known the levy has not yet been made). The objection based on the desirability of recovering these sums of money from the disturbed areas is, however, not insuperable, as it would be possible to authorise their recovery under a special Ordinance ;

(*iv*) It is considered desirable that in order to avoid demonstrations the trials of the principal offenders before the Martial Law Commission should be completed before martial law is discontinued. It is expected that all the most important cases will be decided by the end of the month."

Here we are presented in a concentrated form the wrong view-point which impelled the Punjab Government to introduce and to continue martial aw. It is, we think, unreasonable to suggest that martial law is justified because of the moral effect it produces on the population so treated as well as in other parts of the province. This idea of creating an impression and moral effect on a wide scale unfortunately pursued the Punjab Government and those who administered martial law and it runs through and accounts for most of the severe measures by the authorities during this period. To advocate the continuance of martial law in order to enable the authorities to fix prices of commodities is on the face of it equally unreasonable. The idea of maintaining martial law in order to enable certain expenses to be recovered from the population of the disturbed area shows that martial law administration was required to be continued for punitive purposes. The suggestion that martial law should be continued in order that the trials of principal offenders under martial law should be completed, while the martial law administration lasted so that the demonstration might be avoided again displays a notion about the objects of martial law which we are unable to uphold. The principle that the supersession of the ordinary laws and the ordinary civil administration and the serious curtailment thereby of the ordinary rights of freedom of individuals and the safeguards for the same can only be justified by the supreme necessity of quelling rebellion or disorder, and cannot be continued a day longer after that necessity has ceased, has not been steadily kept in view.

In the above memorandum the Punjab Government put forward an additional reason for continuing martial law which further emphasises their notion about this matter to which we have already referred. In paragraph 5 they support the continuance of martial law on the ground that it will enable them to exclude from the province persons from outside the province who are likely to publish inflammatory or misleading accounts of the events in the Punjab, without having resort to the Defence of India Act.

The Government of India by their telegram of the 18th and 20th May intimated that martial law in Gujrat and Lyallpur ought to cease immediately. In the latter telegram, they said they " are also strongly of opinion that the cessation of martial law should be expedited. Your particular attention is invited to the terms of the Regulation for the conditions precedent to the continuance of martial law." The Punjab Government in their memorandum of the 22nd May in referring to the above, say as follows :—" In the last sentence of your telegram you draw attention to the terms of the Regulation as to the conditions precedent to the continuance of martial law. The suggestion is that it would be an exaggeration to describe the existing state of affairs as open rebellion. The Lieutenant-Governor recognises the weight of this criticism ; but in so far as it is a technical objection to the continuance of martial law it can be cured by publishing a notification containing a reference to the existence of a state of war with Afghanistan which has supervened since the 15th April when martial law was first declared." That

a state of open rebellion no longer existed in the districts concerned was in the view of the Lieutenant-Governor only a technical objection. It was not realised that that was the fundamental condition on which the whole justification for martial law rested. The objection, technical as it appeared to the Lieutenant-Governor, does not appear to have been cured in the manner suggested by him. It is difficult to hold that existence of the state of war with Afghanistan could support the continuance of martial law in the districts concerned if the state of the alleged open rebellion had ceased long ago. The Punjab Government were apparently unwilling to discontinue martial law early even in Gujrat and Lyallpur. But the Government of India by their telegram of 30th May intimated that it should be abrogated from Gujrat at once and from Lyallpur "as soon as reports from that district indicate that this step can be taken." In fact, the discontinuance of martial law at Lyallpur was delayed as late as the 9th June, presumably because the district officers were not in favour of such discontinuance. Certain correspondence between the Commissioner, Multan Division, and the Deputy Commissioner, Lyallpur, which was produced before us, shows that one of the objects for continuing martial law was to avoid trouble in getting in land revenue. The Commissioner in his letter dated the 20th May, 1919, says as follows :—"His Honour spoke to me about martial law in your district. It is now the only rural area in which martial law exists. It has been kept on only because of the scare that there might be trouble in getting in revenue. I told His Honour that I understood that your fears on this subject had been somewhat diminished during the last few days; and that if an adequate military force is maintained in Lyallpur martial law is not required in any place at Lyallpur, except the town, its vicinity and the railways. If you have anything to say against this view, will you please write direct to the Chief Secretary and send a copy to me."

The Deputy Commissioner on the 24th May wrote to the Chief Secretary as follows: "With reference to the enclosed demi-official letter from the Commissioner, I think that, so far as the district is concerned, that is the rural area, if troops are left here we should have no difficulty about realisations even in the event of any village giving any trouble. I am anxious to keep martial law in Lyallpur Municipal Area until (1) Mr. Hoyle, Assistant Commissioner with the powers of Summary Courts has finished his trial of cases connected with events after the 30th March but prior to the proclamation of martial law, (2) Government has passed orders on the reference which was made about levies under martial law . . . ."

That the Commissioner and the Deputy Commissioner of a division should have pleaded for the continuance of martial law and the Punjab Government should have assented to keep it on "only because of the scare that there might be trouble about getting in the revenue," shows how far the Punjab authorities had travelled from the correct notions about martial law.

The Government of India acquiesced in the continuance of martial law so long because as they explain in their memorandum "they decided that it would be unsafe and unfair to those directly responsible for the maintenance of order to disregard the views of the local Government who necessarily had detailed information as to the conditions of the disturbed area, which was not available to the Government of India."

As regards the complication created by the war with Afghanistan which has been relied on as a reason for the continuance of martial law, the evidence shown and it is common knowledge that on the news of the war being received there was a tremendous rally round the Government and people from all parts of the country and notably in the Punjab, by holding meetings, denouncing the action of the Amir of Afghanistan and offering help, made it clear that the country was solidly behind the Government. General Dyer says that on the declaration of war the Sikhs offered to supply 10,000 soldiers to proceed immediately to the front.

CHAPTER IV.

The Firing at the Jallianwala Bagh.

Jallianwala Bagh incident.

1. What the military authorities did at Amritsar up to the declaration of martial law is, as has already been observed, taken by the Punjab Government as done in the aid of the civil authority and they say that such action will be governed by sections 130-131 of the Criminal Procedure Code. The action of the civil authorities, in asking the Officer Commanding " to consider himself in charge of the military situation and to take such steps as he thought necessary to re-establish civil control," it may be argued, amounted to the establishment of *de facto* martial law, but for the purposes of judging the Jallianwala Bagh incident, it is immaterial whether General Dyer was acting merely in aid of the civil powers or on his own initiative as the Military Commander at a place where *de facto* martial law existed. On the morning of the 13th of April, General Dyer issued a proclamation, the relevant portion of which order for this purpose is as follows :—

> " No procession of any kind is permitted to parade the streets in the city or any part of the city or outside it at any time. Any such processions or gatherings of four men will be looked upon as unlawful assembly and will be dispersed by force of arms if necessary."

Proclamation prohibiting meeting insufficiently promulgated.

2. It appears that this proclamation was promulgated by General Dyer himself who went to certain parts of the town with the *naib-tahsildar* and others. The people were collected at certain places by beat of drum and the proclamation was made known to them in the vernacular ; printed copies of the Urdu translation of the proclamation were also distributed. There was produced before us a map of the city with the route followed by General Dyer and the places at which the proclamation was promulgated marked on the map. There is no doubt, on this map and other evidence placed before us, that the proclamation was insufficiently promulgated, important portions of the town having been left out. The number of people who could have heard the proclamation promulgated is put down at 8 to 10,000 people ; the total population of the city is put down at 160,000 to 170,000. There was a large influx of people from outside owing to the *Baisakhi* fair which is an important religious festival ; and there was also a cattle fair. The reason for this insufficient promulgation is given in the evidence of Mr. Plomer, Deputy Superintendent of Police :—

Q. You thought that it was sufficient notice for a town like Amritsar to give of an important proclamation ?

A. I did not think anything. When it was too hot to walk in the city I took the nearest route out.

Q. You did not suggest to the General that a longer time might be given ?

A. No. When we got to the Majid *mandir* the General remarked that it was getting too hot for the troops so I took the route to Lohgar Gate.

Q. And then this proclamation was stopped ?

A. Yes.

No attempt was made to put up printed copies of the proclamation at the entrances of the Jallianwala Bagh although it is said, as will be seen hereafter, that it was the place where a number of public meetings had previously been held. General Dyer returned to his camp at Ram Bagh at 12-40 P.M., and on his arrival there he learnt that a big meeting was going to be held at Jallianwala Bagh at 4-30 P.M. It appears that General Dyer, as soon as he heard about the contemplated meeting, made up his mind to go there with troops and fire. He intended to fire upon them with machine-guns, but he was unable to use machine-guns owing to the accident of his being unable to take the armoured cars into the narrow entrance leading to the Bagh. When he took the machine guns with him he did not know of this difficulty as he had never seen the place before. Similarly, if he had more troops available than the 50 he had, according to him, he would have ordered all of them to fire. When he reached there, he saw a large meeting of people squatting on the ground and being addressed by a person from a small platform. The number of those attending the meeting are varyingly estimated from 15,000 to 20,000, but General Dyer at the time believed it to be 5,000 or 6,000. He put 25 Baluchis and 25 Gurkhas on the raised ground at the entrance and without giving any warning or asking the people to disperse, immediately opened fire at the people in the meeting who were at a distance of 100 to 150 yards. The people, as soon as the first shots were fired, began to run away through the few exits the place has got, but General Dyer continued firing till the ammunition ran short. In all 1,650 rounds were fired, and the casualties have now been ascertained to be at least 379 killed and about 1,200 wounded.

Wanted to use machine-guns but was unable to take them in.

Opened fire without warning and without asking to disperse, and continued firing till ammunition ran short.

His was not the case of a person who had to take a quick decision on a sudden emergency. After he received the information about the contemplated meeting he had four hours to think before he started to go to Jallianwala, he took half an hour to reach there and he arrived there with his mind already made up as to the action he was going to take. His action was in accordance with a determined resolution that he had deliberately arrived at.

In the report he made on the 25th August, 1919, to the General Staff, 16th Division, General Dyer says: "I fired and continued to fire till the crowd dispersed; and I considered that this is the least amount of firing which would produce the necessary moral and widespread effect it was my duty to produce if I was to justify my action. If more troops had been at hand the casualties would have been greater in proportion. *It was no longer a question of merely dispersing the crowd;* but one of producing a sufficient moral effect, from a military point of view, not only on those who were present, but more especially throughout the Punjab. There could be no question of undue severity." Then in the evidence before us, General Dyer said :—

Fired to produce a great moral effect; not a question of merely dispersing the crowd.

Q. I think you had an opportunity to make up your mind while you were marching to decide what was the right course. You came to the conclusion that if there really was a meeting, the right thing for you would be to fire upon them straightaway?

A. I had made up my mind. I was only wondering whether I should do it or I should not.

Q. No question of having your forces attacked entered into your consideration at all?

A. No. The situation was very, very serious. I had made up my mind that I would do all men to death if they were going to continue the meeting.

* * * * * * *

Q. Does it or does it not come to this; you thought that some striking act would be desirable to make people not only in Amritsar but elsewhere to consider their position more correctly?

A. Yes. I had to do something very strong.

Q. You commenced firing the moment you had got your men in position?

A. Yes.

Q. The crowd had begun to go away when you continued firing?

A. Yes.

Q. The crowd were making an effort to go away by some of the entrances at the further end of the Bagh?

A. Yes.

Q. You put your pickets one to the right and one to the left of the entrance. Towards some places the crowd was getting thicker than other places?

A. They did.

Q. From time to time you changed your firing and directed it to places where the crowds were thickest?

A. That is so.

Q. Is that so ?

A. Yes.

Q. And for the reasons you have explained to us you had made up your mind to open fire at the crowd for having assembled at all ?

A. Quite right.

* * * * * *

Q. When you heard of the contemplated meeting at 12-40 you made up your mind that if the meeting was going to be held you would go and fire ?

A. When I heard that they were coming and collecting I did not at first believe that they were coming, but if they were coming to defy my authority, and really to meet after all I had done that morning, I had made up my mind that I would fire immediately in order to save the military situation. The time had come now when we should delay no longer. If I had delayed any longer I was liable for court-martial.

Q. Supposing the passage was sufficient to allow the armoured cars to go in would you have opened fire with the machine-guns ?

A. I think, probably, yes.

Q. In that case the casualties would have been very much higher ?

A. Yes.

Q. And you did not open fire with the machine-guns simply by the accident of the armoured cars not being able to get in ?

A. I have answered you. I have said if they had been there the probability is that I would have opened fire with them.

Q. With the machine-guns straight ?

A. With the machine-guns.

Q. I gather generally from what you put in your report that your idea in taking this action was really to strike terror ? That is what you say. It was no longer a question of dispersing the crowd but one of producing a sufficient moral effect.

A. If they disobeyed my orders it showed that there was complete defiance of law, that there was something much more serious behind it than I imagined, that therefore these were rebels, and I must not treat them with gloves on. They had come to fight if they defied me, and I was going to give them a lesson.

Q. I take it that your idea in taking that action was to strike terror ?

A. Call it what you like. I was going to punish them. My idea from the military point of view was to make a wide impression.

Q. To strike terror not only in the city of Amritsar, but throughout the Punjab ?

Wanted to reduce the "morale" of rebels.

A. Yes, throughout the Punjab. I wanted to reduce their *morale*; the *morale* of the rebels.

* * * * * *

Q. Did you observe that after the firing was opened, there were a number of people who lay on the ground in order to save themselves?

A. Yes.

Q. And your men continued to fire on these people who were lying on the ground?

A. I cannot say that, I think that some were running at the time and I directed them to fire, and sometimes I stopped firing and re-directed the firing on other targets. The firing was controlled.

Q. Did you direct the firing on people who were lying down in order to save themselves?

A. I probably selected another target. There might have been firing on the people who were still lying down though I think there were better targets than that.

Key to General Dyer's action unjustifiable.

The last but one extract supplies the key to the action of General Dyer. He fired on this meeting, and killed about 400 people and wounded about 1,200; because, in his view, they were rebels and he was "going to give them a lesson" and "punish them" and "make a wide impression" and "strike terror throughout the Punjab" and he "wanted to reduce the *morale* of the rebels." That was why he began to fire without warning and without calling upon them to disperse. He continued firing even when the people began to run away, and went on firing till his ammunition was nearly exhausted.

Innocent people among the crowd.

Now, because certain people, on the 10th April, had committed certain outrages at Amritsar, to treat the whole population of Amritsar as rebels was unjustifiable; it was still more unjustifiable to fire at the meeting which was not engaged in doing any violence, in order to give them a lesson and to punish them, because they had disobeyed his orders prohibiting meetings. It is clear that there must have been a considerable number of people who were perfectly innocent and who had never in all probability heard of the proclamation. The Punjab Government in their case submitted to us say that large crowds of villagers had collected for the *Baisakhi* fair; and that "there were a considerable number of peasants present at the Jallianwala Bagh meeting on the 13th; but they were there for other than political reasons." And they say in another part, "It is clear that a considerable number of them (villagers) did attend as spectators." It is therefore obvious that the crowd on which General Dyer fired comprised people who did not belong to the city of Amritsar at all, and who, therefore, cannot

even vicariously be held responsible for the acts of the hooligans on the 10th April. General Dyer said in his evidence as follows :—

Q. On the assumption that there was a crowd of something like 5,000 and more, have you any doubt that many of these people must have been unaware of your proclamation ?

A. It was being well issued and news spread very rapidly in places like that under prevailing conditions. At the same time there may have been a good many who had not heard the proclamation.

Q. On the assumption that there was the risk of people being in the crowd who were not aware of the proclamation, did it not occur to you that it was a proper measure to ask the crowd to disperse before you took to actually firing upon them ?

A. No : at the time it did not occur to me. I merely felt that my orders had not been obeyed, that martial law was flouted, and that it was my duty to immediately disperse it by rifle fire."

Possible to disperse without firing.

General Dyer also admits that it was quite possible that he could have dispersed them without firing.

Q. What reason had you to suppose that if you had ordered the assembly to leave the Bagh they would not have done so without the necessity of your firing continued firing for a length of time ?

A. Yes : I think it quite possible that I could have dispersed them perhaps even without firing.

Q. Why did you not adopt that course ?

A. I could disperse them for some time ; then they would all come back and laugh at me, and I considered I would be making myself a fool.

It is now admitted that among the 379 dead, now officially recognized, 87 were ascertained to be residents of outside villages. The proportion of the outside people in the meeting must have been appreciable as shown by the fact that it attracted the attention of General Dyer even within the extremely short time—30 seconds—between his arrival and the opening of fire. He says in his report that the crowd appeared to be a mixed one consisting of city people and outsiders.

3. It appears that the action of General Dyer was approved by General Beynon and also by Sir Michael O'Dwyer. General Beynon on the 14th April sent the following telegram :—" Your action correct. Lieutenant-Governor approves." Sir Michael O'Dwyer in his evidence before us, states that General Beynon spoke to him over the telephone about the Jallianwala Bagh incident and said that he fully approved of it and asked him (Sir Michael O'Dwyer) if he approved of it. Sir Michael O'Dwyer says that he at first said that it was not for him to criticise his (General Dyer's) action or to approve or disapprove of it. But General Beynon added that the situation in Amritsar had been completely restored. He

General Dyer's action approved by General Beynon and Sir Michael O'Dwyer.

(General Beynon) said that General Dyer would like to know that if he (Sir Michael O'Dwyer) approved of his action. The entry in the War Diary of the 16th Division under date the 14th April is to the following effect: "At a Conference at Government House, General Dyer's report on his action at Amritsar was considered and action taken was approved by the Lieutenant-Governor."

Information before Sir Michael O'Dwyer when he approved.

Sir Michael O'Dwyer told us that before General Beynon's telephonic message came on the 14th April, that morning he had got an account of the incident from the Deputy Commissioner which contained the information that General Dyer had fired without warning and had gone on firing for about 5 to 10 minutes and dispersed the crowd inflicting 200 casualties, by which Sir Michael says he understood dead casualties. It was with this information before him that Sir Michael O'Dwyer expressed his approval of General Dyer's action later in the day.

Sir Michael O'Dwyer's point of view was and still is the same as that of General Dyer.

We must say we are not surprised that Sir Michael O'Dwyer should have expressed such approval, for it appears from his evidence before us that he holds practically identical views with those of General Dyer in this matter. In his view, it did not matter if the people assembled at the Jallianwala Bagh that evening were different people from those who had committed murder and arson on the 10th, the very fact that they had assembled was enough to treat them as people who had committed murder and arson; and he also believes in the effect of General Dyer's action in crushing the alleged rebellion. In the written statement submitted to us he says: "The casualties were large and regrettable but the loss of life was inevitable, when a truculent mob which had already committed murder and rebellion assembled to defy authority." The following extract from his *viva voce* examination is instructive:—

Q. I want to ask you a few questions about the Jallianwala Bagh incident. You say on page 10 "the casualties were large and regrettable but loss of life was inevitable when a truculent mob which had already committed murder and rebellion, assembled to defy authority."

A. You have got my *addendum* to that statement.

Q. Yes. I will deal with that. The view there seems to be as if the crowd that had assembled there had committed murder and rebellion. Is there any evidence that that particular crowd had committed any murder or rebellion?

A. I do not suppose it could be said with reference to any particular crowd, but Amritsar city, as a whole, had committed murder and rebellion.

Q. You treated the whole city to be in rebellion and therefore everybody in the city as taking part in that rebellion. That was your view?

A. The view I took there was that that meeting was held to show their hostility to Government and their sympathy with the people who had committed rebellion and murder.

Q. It may be that those who assembled there that evening may have been different people altogether from those who committed the actual murders and arson and other violent acts ?

A. Yes, but they were there to show their sympathy with the people who committed murder and rebellion and their hostility to the Government which was repressing it.

Q. There is no evidence to show that they assembled there for that ?

A. I think it may be inferred from the fact that they had assembled there knowing what the conditions in Amritsar had been for the previous three days and knowing that any such meeting had been prohibited.

Q. I am coming to the prohibition. But there is no evidence to show that the assembly there expressed their sympathy with those who had committed murder and arson ?

A. I think the fact that they had assembled there was enough ; they would not have assembled there without good reason, at a critical time like that.

Q. The mere fact that they had assembled justified the conclusion that they had assembled there for the purpose of expressing sympathy ?

A. I think after what had happened in Amritsar for three days and taking that the prohibition issued that morning . . .

Q. I am coming to the prohibition. You say they assembled to express sympathy. There is no evidence at all. You infer it ?

A. Yes, I infer it.

At another place in his written statement, Sir Michael O'Dwyer says :—

" Speaking with perhaps more definite knowledge of the then situation than any one else, I have no hesitation in saying that General Dyer's action was the conclusive factor in crushing the rebellion."

Effect of General Dyer's action in the country.

4. General Dyer wanted by his action at the Jallianwala Bagh to create a " wide impression " and " a great moral effect." We have no doubt that he did succeed in creating a very wide impression and a great moral effect, but of a character quite opposite to the one he intended. The story of this indiscriminate killing of innocent people not engaged in committing any acts of violence but assembled in a meeting, has undoubtedly produced such a deep impression throughout the length and breadth of the country, so prejudicial to the British Government, that it would take a good deal and a long time to rub it out. The action of General Dyer as well as some acts of the martial law administration, to be referred to hereafter, have been compared to the acts of " frightfulness " committed by some of the German military commanders during the war in Belgium and France.

It is pleaded that General Dyer honestly believed that what he was doing was right. This cannot avail him, if he was clearly wrong in his notions of what was right and what was wrong ; and the plea of military necessity is the plea that has always been advanced in justification of the Prussian atrocities. General Dyer thought that he had crushed the rebellion and Sir Michael O'Dwyer was of the same view. There was no rebellion which required to be crushed. We feel that General Dyer by adopting an inhuman and un-British method of dealing with subjects of His Majesty the King-Emperor, has done great disservice to the interest of British rule in India. This aspect it was not possible for the people of the mentality of General Dyer to realise. The following extract from his (General Dyer) evidence may be referred to in this connection :—

Q. Did it ever occur to you that by adopting this method of " frightfulness "—excuse the term—you were really doing a great disservice to the British *Raj* by driving discontent deep ?

A. No, it only struck me that at the time it was my duty to do this and that it was a horrible duty. I did not like the idea of doing it but I also realized that it was the only means of saving life and that any reasonable man with justice in his mind would realize that I had done the right thing ; and it was a merciful act though a horrible act and they ought to be thankful to me for doing it.

Q. Did this aspect of the matter strike you that by doing an act of that character you were doing a great disservice to the British *Raj* ?

A. I thought it would be doing a jolly lot of good and they would realize that they were not to be wicked.

People like General Dyer have the fixed idea that the effective way of governing in India is force. It is the same idea that General Drake-Brockman of Delhi gave expression to in his written statement at Delhi : " Force is the only thing that an Asiatic has any respect for."

Wounded and the dead.

5. The conduct of General Dyer, after the firing was over, was in keeping with the attitude which dictated the firing. He immediately left the place with his troops and did not do anything to see that either the dead were attended to or the wounded received help. He did not consider it to be " his job." It is said that it would not have been quite safe for him to have stayed at the Bagh any longer, as there was the risk of the crowd that he had dispersed overpowering his force as his ammunition was finished. But for the purpose of arranging for the dead and the wounded, he need not have waited at the Bagh, but he could have given the necessary directions for the purpose after reaching his head-quarters at Ram Bagh. Either he was in supreme command in supersession of the civil authority or he was there in aid of the civil power. If the former, we think he ought to have done something about the matter. If the latter position was the correct one, he should have informed the civil authorities and they should have made the necessary arrangements. But neither the civil nor the military authorities seem to have done anything at all. The following is General Dyer's evidence on the point.

Q. After the firing had taken place did you take any measure for the relief of the wounded ?

A. No, certainly not. It was not my job. But the hospitals were open and the medical officers were there. The wounded only had to apply for help. But they did not do this because they themselves would be taken in custody for being in the assembly. I was ready to help them if they applied.

Q. Were any measures taken immediately for dealing with the dead ?

A. They asked that they might bury their dead.

Q. That was much later ?

A. My recollection is that when I got back they came and asked me and I said certainly. It never entered my head that the hospitals were not sufficient for that number of wounded if they had liked to come forward.

When General Dyer, in this part of his evidence, said that when he got back, the people came and asked that they might be allowed to bury the dead and he gave the necessary permission, he was under a misapprehension. The asking and giving of such permission took place the next day, *viz.*, 14th April. In the report which General Dyer made of the operations from the 11th to 14th April to General Beynon, and which is appendix III to that officer's report to the Adjutant General dated the 5th September 1919, he, after narrating the Jallianwala Bagh incident, proceeds to say that he returned to the head-quarters at 6 P.M. (13th) and at 10 P.M. he marched through the city to make sure that his orders as to the inhabitants not being out after 20 hours (13th) was obeyed ; he found the city absolutely quiet and not a soul was to be seen. He then says, " the inhabitants have asked permission to bury the dead and this I am allowing." This evidently refers to the 14th ; the day on which he made the report. This is further borne out by the entry made by Captain Briggs in the War Diary about this permission. The order itself which is appendix VI to General Dyer's report of 25th August 1919 permitting the burning or burial of the dead, is dated the 14th April. When this was pointed out to General Dyer he admitted that the permission was given on the 14th of April.

No steps taken for a long time to ascertain the casualties.

6. As already stated above, Sir Michael O'Dwyer learnt on the 14th April from the Deputy Commissioner about the Jallianwala Bagh, that General Dyer had fired without warning and had gone on firing for about 10 minutes, and that there were 200 dead casualties. It does not appear that any steps were taken by the Punjab Government for a long time to ascertain the real facts about so serious an occurrence and to find out the correct number of casualties. Sir Michael O'Dwyer, when asked about it, says in his evidence that, on the 15th April he had an interview of about a quarter of an hour with General Dyer and that afterwards the Punjab Government were awaiting General Dyer's report. Sir Michael O'Dwyer said that in the latter part of April, General Dyer had been taking moveable

columns to the various parts in the neighbourhood of Amritsar and that when he came back he was sent early in May to the Afghan War. General Dyer did not make his report till the end of August 1919, and that was made in response to a communication from the Adjutant General dated the 19th July 1919 evidently asking for a special report. The Punjab Government do not appear to have taken any steps till the end of June to ascertain the casualties. Mr. Thompson, the Chief Secretary, said :—

Q. Do you know what steps were taken to ascertain what the number of the casualties were ?

A. There were no steps until about the end of July when we told the Deputy Commissioner to make enquiries.

It appears that notices were issued on the 8th August, inviting people to give information regarding those who had met their death at the Jallianwala Bagh. During the discussion in the Imperial Legislative Council on the 19th September 1919, in speaking about this matter the Government enquiries showed dead casualties to be 291 and that any information which puts the number beyond this should be received with the gravest caution.

In his evidence before us Mr. Thompson admitted that certainly 379 dead casualties had taken place, and that there was possibly still a small margin for more.

CHAPTER V.

Administration of Martial Law.

1. Now we will proceed to examine the administration of martial law in the various districts. A careful consideration of the various martial law orders in the different districts leaves the impression that over and above securing the maintenance of law and order, they were designed and were used for punitive purposes, they interfered considerably with the ordinary life of people and caused much inconvenience and hardships. Such interference so far as really necessary, cannot be objected to but in our view as stated hereafter some of them were not necessary. Although these orders were issued by the martial law administrators in whom the power was legally vested, so far as the headquarters were concerned, the civil authorities were in touch with the martial law administrators and in Lahore. There were daily consultations between Lieutenant-Governor, the Chief Secretary and the military authorities. Some of the martial law orders had the approval of the civil authorities, and some were issued at their suggestion. Mr. Thompson says that, as rule, on matters connected with the ordinary life of the people they were consulted before orders were promulgated. Regarding these regulations, the Punjab Government in their case say, "they involved no inconsiderable interference with the ordinary life of the people" and "that the total effect was punitive and to some extent restrictive." They further admit "The Curfew orders, the restrictions on travelling, the impressment of vehicles, the orders regarding roll-calls unquestionably involved much inconvenience to the people of Lahore."

Some martial law orders designed and used for punitive purposes.

2. Martial law appears to us to have been administered intensively by Lieutenant-Colonel Johnson in the Lahore civil area. He issued numerous notices and orders, controlling the daily life of the people very minutely.

Intensive martial law administration in Lahore.

For the purpose of promulgating these orders, he required every ward in the city to keep at least four representatives from 8 A.M. till 5 P.M. at the water-works station to learn what orders if any, were issued and convey such orders to the inhabitants of their ward, and he ruled that the onus of ascertaining the orders issued by him lay on the people through their representatives. There are many wards, and this must have necessitated the attendance of a considerable

Attendance of ward representatives from morning to evening to receive orders.

number of persons of some position from morning till evening every day during the period martial law lasted, involving considerable inconvenience, humiliation and neglect of their ordinary business.

Nature of the orders.

On the 15th April, he issued what is known as the Curfew Order, prohibiting all persons other than Europeans or those in possession of special military permits from leaving their houses or being in the streets between the hours 20-00 and 05-00. This was subsequently modified so as to make it applicable after 9 P.M., then 10 P.M., and ultimately on and from after the 24th May, it was restricted to the hours of 12 P.M. to 2 A.M. He ordered the shops to be opened and business to be carried on, proceeded to fix in detail the prices of almost all commodities, and issued orders for the prevention of adulteration of milk. He commandeered from Indians their motor-cars and other vehicles, electric lights and fans, and notified that misuse or waste of pipe water would be deemed a contravention of martial law. With regard to this impressment of motor-cars, etc., of Indians, it appears that it was dictated by the desire to teach the population of Lahore a lesson. Though Order No. III was in general terms asking for the delivery of all motors and vehicles of all descriptions Lieutenant-Colonel Johnson had issued exemption certificates to Europeans; no such exemptions being made in the case of Indian residents. He, in his written statement, says as follows :—

Teaching the Indian population a lesson.

> "Under Order III all motor-cars had to be surrendered for military service, but in cases where I was satisfied that cars were essential to the business or profession of a European, their cars were at once released and an exemption certificate issued. I refrained from granting exemptions in the case of Indian residents in Lahore, as I thought it desirable to bring home to them all—loyal or disloyal alike—some of the inconveniences of martial law in the hope and belief that in future the weight of their influence will be whole-heartedly thrown against seditious movements likely to lead to the introduction of martial law."

In reference to taking of motor-cars belonging to Indians and giving them to Europeans, Lieutenant-Colonel Johnson, when he was asked whether it was the right thing to do, said: "Yes, I wanted to teach them a lesson." Regarding the order impressing the hackney-tongas, he admits that the main reason for doing it was that they had struck work as part of the *hartal*.

Q. What were the reasons for commandeering tongas and vehicles which were plying for hire? Was it not that they also took part in *hartal*?

A. That was the main reason. They were taking part in *hartal*. No one could move in Lahore if he wanted to; they refused to carry him.

He made it unlawful for two persons to walk abreast; and prohibited all meetings and gatherings of more than 10 persons. His treatment of students, and the orders he passed about them and the manner in which the orders relating to the exhibition of martial law notices on buildings and other places we will deal in detail later on. By order VIII issued on the 16th April, Lieutenant-Colonel Johnson notified, "All orders to be issued under martial law will be handed to such owners of property as I may select and it will be the duty of such owners of property to exhibit and to keep exhibiting all such orders. The duty of protecting such orders will, therefore, devolve on the owners of property and failure to ensure the proper protection and continued exhibition of my orders will result in severe punishment." The selection of these properties was made on the recommendation of the Criminal Investigation Department police on the ground that the owners of those properties were not "notoriously loyal," or were suspected to be not very loyal.

Exhibition of martial law notices on properties and obligation cast on owners to see notices preserved.

What determined the selection of properties. Suspicion of being 'not very loyal.'

It is obvious that an order like this making the owner of the property liable to severe punishment if any notice affixed on his property was defaced by any one of the hundreds and thousands of persons that may be passing in the street, on which that property abuts, was putting a very unjust burden on them. The fact that in the selection of these properties entered the consideration that the owners thereof were suspected to be not "very loyal" reveals the punitive object of the measure. This is what Lieutenant-Colonel Johnson says:—

Q. You left the selection of these houses to the Criminal Investigation Department?

A. They submitted a list. I requested them to submit a list of the people who were not notoriously loyal. I selected the houses from the geographical position from the map.

Lieutenant-Colonel Johnson appeared to be quite proud of what he had done. When asked "Do you think it a reasonable order to make," he answered "Quite. I would do it again. It was one of the few brain-waves I had." It appears that a notice was stuck on the compound wall of the Sanatan Dharam College. It was subsequently torn by somebody. Thereupon Colonel Johnson ordered that every male person found in the precincts of the compound should be arrested. Sixty-five students and all the professors of that college were accordingly taken to the Fort which is three miles away, and interned there for about 30 hours. They were then released after taking guarantees from the Principal that the defacing of notices would not happen again. Lieutenant-Colonel Johnson told us that he was waiting for an opportunity to show them the power of martial law; and he took this opportunity of doing so. The object and

Brain-wave of Colonel Johnson.

Manner in which the order was worked. Professor and students of a college interned for 30 hours.

character of this action would appear from the following extract from Lieutenant-Colonel Johnson's evidence :—

Q. Your view then was, and your view still is, that it was a reasonable order to make ?

A. I had got to stop notices being torn down and I wanted to make an example of somebody who had torn them down.

Q. You considered it then, and you still consider it to be a reasonable order ?

A. Undoubtedly.

Waiting for an opportunity to bring home to people power of martial law.

Q. And your frame of mind then was, as you indicate in your report on page 11, that you were waiting for an opportunity to bring home to all concerned the power of martial law ?

A. That was so, Sir.

Q. You were longing for an opportunity ?

A. Only in the interest of the people themselves.

Q. I did not suggest it was any other interest ; it may or may not have been but you were longing for an opportunity to show them the power of martial law ?

A. Quite.

Q. And you got this opportunity ?

A. And I took it.

Q. And you marched these 500 students and their professors in the sun 3 miles ?

A. That is so.

Q. And you still maintain that was a proper exercise of your authority as Martial Law Administrator ?

A. Absolutely. I would do it again to-morrow in similar circumstances.

Principal of another college dealt with.

A poster of an objectionable character was found on the outer wall of the Dayal Singh college. Upon that, Lieutenant-Colonel Johnson issued an order that if the college authorities did not find out the writer and report his name to him the same day by 12 noon, he would take drastic measures against all concerned. Lieutenant-Colonel Johnson summoned the Principal and fined him Rs. 250, and sent him in the custody of two soldiers to collect the fine. The principal, on the payment of the fine, was released. A little later, it happened that the man on whose information, as to the poster having been found on the college wall Lieutenant-Colonel Johnson had acted, was convicted of perjury at Kasur and on that the fine was remitted. Then Colonel Johnson undertook on a large scale the punishment of students of seven colleges.

Then Lieutenant-Colonel Johnson issued orders that the students of the D. A. V. College, the D. S. College and the Medical College should attend a roll-call four times a day for a period of nearly three weeks. This necessitated a large number of students walking in the hot May sun of Lahore 16 miles every day. Lieutenant-Colonel Johnson was under no misapprehension about it, for when it was put to him that the students had to walk 17 miles a day, he protested that it was 16 and that he had measured it on the map. When his attention was drawn to the hardship involved he said: "No hardship at all for able-bodied young men. It was only a mild type of physical exercise for able-bodied young men." According to Lieutenant-Colonel Johnson, this order was passed not as a punishment, but for the purpose of keeping the students out of mischief. When it was put to him whether it ever occurred to him that this treatment of students was eminently calculated to make those young men very bitter with hatred towards the British Government for the rest of their lives, he answered that the atmosphere of the colleges was such that he could not make it worse.

Roll-call of students four times a day. 1,000 students made to walk 16 miles a day in the heat of May for many days.

It appears that in all over 1,000 students were so punished. Some of them were expelled permanently from the college and were declared unfit in future to enter any college; others were punished by being rusticated for various reasons; and yet others had their scholarships and stipends stopped.

It appears that these punishments were awarded not after investigation into individual cases, but Lieutenant-Colonel Johnson decided that a certain percentage of the students in each college should be punished. When the Principals of the various colleges sent up the lists of punishments, in cases in which he thought that the punishments were either not adequate or did not come up to the proper percentages, he remitted the list to the Principals concerned to bring up the lists to the proper percentage. This is what Lieutenant-Colonel Johnson says about the matter:—

Q. Did you tell them what percentage of students were to be punished?

A. No: not at the meeting.

Q. Then you fixed a particular day by which the punishments, which they fixed upon, should be submitted to you for approval?

A. That is so.

Q. And they sent up lists to you of the punishments they suggested?

A. They did.

Q. And when you got these lists it was your view that these punishments were insufficient?

A. Some of them were. Some of them were adequate.

Q. And on that did you inform the Principals that unless the punishments were raised the colleges would be closed and the students would be stopped from attending University examinations ?

A. That is so.

Q. Have you got that correspondence between yourself and the Principals on the subject ?

A. No, I have not.

Q. What happened to it ?

A. It was filed in the offices of the Martial Law Administrator. It was taken over with the rest of the office by the officer who succeeded him in command of Lahore.

Q. It must be available somewhere in the official records ?

A. I take it, it is.

Q. Now in the correspondence did you suggest to the Principals that a certain percentage of students should be punished ?

A. I am not sure ; possibly I did.

Q. You suggested just now that you did so at some stage ?

A. I thought I did, in this correspondence.

Q. You fixed the percentage of each college which should be punished

A. I took the same percentage as the other colleges whose punishments I thought were adequate.

In this connection, Lieutenant-Colonel Johnson expressed the view that by teaching them that there is penalty even for ' suspected sedition,' you are stopping it. It is true that some of the students of the colleges in Lahore had been in the unruly mobs on the 10th April and some gave utterance to sedition. But because some were guilty, to punish all whether guilty or innocent as Lieutenant-Colonel Johnson proceeded to do, was in our opinion not justifiable. Such a measure was almost certain to produce bitterness in the minds of the students by reason of their feeling that they were unjustly dealt with. When it was put to Lieutenant-Colonel Johnson that the fact that he had received reports of the improper behaviour of certain students, was not enough to make him decide to punish all, he gave the following reply :—

Q. Because you got reports of the character you mention with regard to 20, 30 or even 50, you thought that was enough to justify in making orders of this character affecting thousands ?

A. I thought I was justified in making the orders at the time ; I still hink, and I shall always think so.

The correspondence between Lieutenant-Colonel Johnson and the Principals on this matter shows that when two of the students who in it was decided to punish by rustication for one year asked permission to withdraw their names from the examination for the current year, and the Principal was disposed to grant that request, Lieutenant-Colonel Johnson wrote that either the names of these two students should be

reinstated in the list for that year or two others substituted in their places.

In our view the criticism with regard to the various orders about the students above referred to that "it would have been prudent if the military authorities had consulted the college authorities as to the orders to be passed, and that the college authorities have disapproved of the orders as serving no purpose," does not sufficiently take note of their gravity. We are of opinion that these orders on their merits were unjustifiable and were conceived in a spirit of some vindictiveness and were eminently calculated to leave behind considerable feelings of bitterness in the minds of the young generation.

Threat of reprisals.

By his order No. I it was intimated that "if any fire arm is discharged or bomb thrown at the military or the police, the most drastic reprisals will instantly be made against the properties surrounding the outrage." Colonel Johnson says that he called 100 leading men of the city and had explained to them what action he would take by way of reprisals. He told them that if any bomb fell or that if any British soldier or any body was wounded or injured as a result of that bomb, that spot would be deemed the centre of a circle having a diameter of a hundred yards and that he would give them one hour in which to remove everything living from that circle and that at the end of that time the demolition of every building other than mosques or temples would take place inside that circle. Such an announcement that innocent people who may happen to be within such a circle, would be dealt with in such a manner, we cannot uphold. He further intimated that the continuance of electric lights and water will depend on the good behaviour of the inhabitants and their obedience to our orders. It is not from want of sufficient tact in drawing them that these orders suffer. It is apparent from what we have stated above that they were designed to cause annoyance and hardship to the Indian population with the object and for the purpose of "teaching them a lesson" as Lieutenant-Colonel Johnson frankly admitted. When it is remembered that those who composed the unruly mobs in Lahore on the 10th and 12th April formed only a small proportion of the population of Lahore, the injustice of treating the whole Indian population of Lahore in this manner becomes obvious.

2. Amritsar.

3. In Amritsar, most of the Lahore orders were repeated, *e.g.*, the Curfew order, prohibition against gatherings and processions, restrictions on travelling, exhibition of martial law notices, impressment of cycles, etc., declaration of stocks, fixing of rates of foodstuffs, milk, etc.

Crawling Order.

Among the orders passed by General Dyer at Amritsar was an order that has been styled "Crawling Order." This order was passed on the 19th April, eight days after General Dyer arrived and four days after the declaration of martial law. This order was passed with reference to a street where

Miss Sherwood had been brutally attacked on the 10th April by the mob. The street is narrow, but of considerable length, and has abutting on it on both sides houses of different dimensions. The order was to the effect that no Indians should be allowed to pass through the street, but if they wanted to pass they must go on all fours, and pickets were placed at certain points in the street to enforce obedience to this order. The pickets had instructions to be there from 6 A.M. to 8 P.M. It is not suggested that the assailants of Miss Sherwood were the residents of the street. This order must have had the immediate result of seriously inconveniencing the residents of houses abutting on the street, and thereby punishing people who were *primâ facie* innocent. General Dyer says he thought that all the houses had back entrances, but when one sees the street as the Committee did, it is difficult to see how he carried that impression. Evidently it would not have affected his judgment or the order even if he had known that all the houses had no back entrances, for in his evidence before us, General Dyer seemed to think that it was really very slight inconvenience to the residents of the street. According to him they could go over the roofs of their houses. We are unable to understand how General Dyer expected the residents of these houses to go from the roof of one house to another, the houses being of different heights, and by that means reach the street.

Q. As I understand there are many houses with no back entrances at all ?

A. I was not aware of that at the time.

Q. If it be the case that many of the houses have no back entrances what justification is there for pronouncing an order that necessitated the inhabitants lawfully residing in these houses to crawl on all fours when they had to leave their homes ?

A. They could leave at other times. My picket was only there from 6 A.M. to 8 P.M. I do not think it a very great inconvenience for them if they had to suffer a little for all that Amritsar had done. I thought it would do no harm under martial law. They could easily get the necessities of life by other means. It would not have taken much ingenuity to get necessary things. They might have suffered a little amount of inconvenience.

Q. How were they to get food, if most of the houses had no back entrances ?

A. Those who had not back entrances if they had to get the necessities of life, might have gone on the roof and improvised means. If not they could wait until 8 o'clock in the night and then go out and get the things.

Q. All this thing might have a very different effect from the effect you wished. Instead of being a just punishment on those who were intended to be punished, it might cause a great deal of ill-feeling among those who resented treatment of this sort and who were not responsible for the acts that were done ?

A. Amritsar had behaved very badly, and I think most of the inhabitants of Amritsar either gave assistance or were only waiting to see what was going to happen apparently. At any rate, they did not offer any help until after the firing and if they suffered a little under martial law . . . .

Q. Do you admit that during a period of turmoil when the mob was having the upper hand, it is difficult for the peaceful citizen to give assistance in quelling the disturbances and it is just on that account that the extreme act of firing upon a mob is justified ?

A. Yes, they were obstructing law-abiding citizens, I presume, but I think that on that occasion we only thought of punishing the wicked and men who had beaten Miss Sherwood who had to go through that street were punished. It was not my intention to punish anybody else.

General Dyer says that he did not expect that anybody would pass through the street and subject himself to this order of going on all fours. It was, however, a very curious coincidence that within a few minutes after he had passed the order and put the pickets, 12 persons had to be arrested for being insolent and he ordered them to be taken into custody, and the police took them through that street and the picket enforced the crawling order on them. General Dyer appears to have been pleased at this providential result. In his report he says : " I inspected the spot where Miss Sherwood ultimately fell and I gave orders for a triangle to be erected there ; I then posted two British pickets, one to each end of the street, with orders to allow no Indians to pass, that if they had to pass, they must go through on all fours. I never imagined that any sane man would voluntarily go through under those conditions and I was still searching for some fitting punishment when Providence stepped in. After giving my orders I proceeded further through the city, as I passed I gave orders for eleven insolent inhabitants to be handed over to the police, and brought to me at Ram Bagh at 9 A.M. next morning. I did not know that the police who accompanied my force had been left at the far end of the street in which the pickets were posted. Arrived at the near end of the street, the prisoners were confronted by the non-commissioned officer in command of the picket and made to crawl, between the two pickets, a distance of about 150 yards."

Flogging in that street.

General Dyer further put up a triangle in this street for flogging people, and six persons who were under arrest in the Fort for the assault on Miss Sherwood, on being found to have committed some breach of Fort discipline, were brought and flogged there. These people were ultimately found guilty of the assault on Miss Sherwood, but at the time they were so flogged they were merely under-trial prisoners. There is no record forthcoming of the trial and punishments of the eleven persons above referred to, who were arrested for the breach of the salaaming order, or, of the other six persons who were flogged in the street.

Q. What certainty had you at the time you ordered them to be whipped at this spot that they would be found guilty of this offence against Miss Sherwood ?

A. I did not know they would be found guilty, I lashed them.

Q. When they were lashed for a breach of Fort discipline they were not yet found guilty of the crime against Miss Sherwood, these particular men ?

A. The chances were from what I had heard and been told that these were the particular men. If they were not the particular men and another man was beaten still it did not matter very much whether he was beaten there or somewhere else, if he was convicted. I did not wish to run the risk if he had committed the offence against Miss Sherwood, of his being beaten somewhere else ; therefore when I heard that these were the men, I had them beaten in the same street.

Q. Were you not rather doing that from the point of view of striking the popular imagination ?

A. No, I had only that end in view that these men had in a dastardly manner beaten a woman and knocked her down six times in the street, and that nothing was too bad for them either from the point of view of a British man or a Hindu or a Sikh or any other man.

Sir Michael O'Dwyer disapproved crawling order.

Sir Michael O'Dwyer strongly disapproved of this order and telephoned to General Beynon to have the order withdrawn as he considered it an improper order ; and he informed the Viceroy as to what he had done in the matter.

Gujranwala and other districts.

4. Among the Martial Law Orders issued in the Gujranwala district, one attracts particular attention. That order which was issued on the 22nd April required the inhabitants of Gujranwala district whenever they met any gazetted European civil or military officer to show respect to them by alighting from any wheeled conveyance or animals that such inhabitants might be riding and close any open umbrellas that they might be carrying and to salute the said officers. This order was extended to the Lyallpur district on the 30th April and to the Gujrat district on 2nd May. These orders calculated to humiliate the whole Indian population of those districts and have naturally left much bitterness. In our view, the order, as it was issued and enforced, was wholly indefensible. Lieutenant-Colonel O'Brien, Deputy Commissioner of Gujranwala, says that he approved of the order :—

Order requiring Indians to alight from conveyances and to salaam European officers.

Q. Is it not enforcing humiliation on the Indian people, to make them alight from their carriages to salaam an European officer ? Does it not savour of that ?

A. You perhaps put the other way. It is rather this way. I go to the other extreme in insisting on the ordinary salutations being paid.

Q. It was necessary to go to the other extreme ?

A. Perhaps so.

Q. For what purpose ? What was the necessity for going to the other extreme and making this order ?

A. The tendency of the present day is to abolish respectfulness. The Indian father will tell you that sons are not respectful even to their parents.

Q. The Indian young men are not following the ways of respectfulness and you therefore thought you would improve them by going to the other extreme and enforcing this order ?

A. I say I did not pass this order. I generally agreed.

Q. That is the ground on which you defend it ? I put it to you : if an order of this sort is in force would it not create considerable resentment and bitterness among the people, and would not they feel humiliated ?

A. I do not know. The feeling of bitterness already existed.

Q. You thought there was bitterness sufficient and therefore any order of humiliation could not add to the bitterness.

A. I do not think its effect would be much.

This idea of exacting respect towards Europeans is responsible for the following order issued on the 8th May :—

Restrictions on travelling by railways imposed as a punishment for decreased respect towards Europeans.

" Whereas it has been shown to my satisfaction that the attitude of the inhabitants of Gujranwala towards Europeans has decreased in respect and whereas this is in contravention of my notice under Martial Law No. 7, dated 22nd April 1919, I now order that as a punishment the restrictions regarding booking of passengers from Gujranwala and from the stations of Eminabad and Kamoki to the South, and Rahwali and Ghakkar on the North, which were relaxed to-day, the 5th instant, shall be again imposed on these stations for a further period of 14 days from this date."

It appears from this order that restrictions regarding the booking of passengers were imposed in some cases, not because they were deemed necessary for the maintenance of law and order, but as a punishment. It further shows the incapacity on the part of some of the Martial Law Officers to realise the grave injustice of punishing whole populations including a large majority of loyal and innocent people for the misdeeds of the few.

Roll-call of students.

5. Orders were issued, which were made applicable to the districts of Gujranwala, Gujrat and Lyallpur, that students should attend roll-calls daily once or more often as the Area Officer determined, and there salute a British flag. These parades were to be attended also by the masters, and in the Gujrat area the order also provided that " if any boy is absent without any proper cause, his father would attend in his place." It appears that these orders were enforced even in the case of infants of

four and five years. Here again it is the same conception, that because some school boys had joined the crowds during the disturbances, the whole class of school boys was to be subjected to this order, irrespective of their being guilty or innocent:

Q. Then it comes to this, Major Smith, that certain boys in this area had taken part in the disturbances.

A. Yes.

Q. Therefore you thought that it was necessary, partly by way of punishment and partly by way of inculcating respect in their minds, to enforce this order on the infant boys of five or six, who had not taken part in these disturbances at all.

A. Yes.

Q. Do you still think it was a wise thing to do?

A. Yes.

The Government case after referring to the rumour that was circulated owing to this order that several school-boys had died of sunstroke, says:—"The actual fact is that on one occasion at Wazirabad, four of the small boys fainted from the heat, but suffered no serious effects. The mid-day roll-call was then abandoned."

The notion of punishing whole communities for the offence of the few is responsible for the following notification: the following order was issued as late as the 19th May:—

All students punished because two failed to salaam.

"Whereas two students of over 14 years of age failed to salaam to me on the 16th instant, thereby contravening 'Notice under Martial Law No. 7' and whereas it now transpires that they gave me their wrong names and addresses, I hereby direct that all students of over 14 years of age of the:—(1) Municipal Board School, Lyallpur, (2) Arya School, Lyallpur, (3) Sanatan Dharm School, Lyallpur, (4) Government High School, Lyallpur, shall parade in front of my office in the Public Library at 08-00 (eight) hours daily until the two offenders are given up, or failing this until such time as I consider necessary. They will be accompanied by a schoolmaster from each school, and will march past a Union Jack which will be erected in front of my office, and salaam to it as they pass, under the supervision of an officer appointed by me.

"The schoolmaster accompanying the boys of each school, will bring with him daily a nominal roll of all the boys of over 14 years of age at his school, signed as correct by the Head Master, and showing, against the name of each absentee from the parade, the reason for his absence. These parades will commence from Monday, 19th instant."

This order remained in force for one week.

Six boys flogged at Kasur because they happened to be biggest.

6. In this connection may be mentioned the way in which the students were dealt with at Kasur. It appears that some of the students had taken part in the disturbances, and two of them were identified as taking part in the riots and were subse-

quently arrested and sentenced. One schoolmaster represented that his boys had gone out of hand. Mr. Marsden, Sub-Divisional Officer, Kasur, suggested and Lieutenant-Colonel Macrae approved that certain boys should be picked out to bear punishment for the whole. Thereupon the headmasters were asked to select six boys and send them. When they were so sent up, they appeared to the authorities to be miserable looking. It was thereupon ordered that all the boys of the schools concerned should be paraded at the station, and the six biggest boys were selected. They were given six stripes each.

This is what Lieutenant-Colonel Macrae says about it :—

Q. Then on the 18th, some school boys were flogged and you gave directions that the biggest six boys were to be selected for that purpose ?

A. I said generally speaking take the six biggest. The misfortune was that they happened to be big.

Q. It was irrespective of whether they were innocent or guilty; because they were big they had to suffer ?

A. Yes.

Q. Do you think that is a reasonable thing to do ?

A. Yes, I think so under certain conditions.

Q. It was a mere accident that a boy being big should invite on himself punishment ?

A. It was his misfortune.

Q. His misfortune was that he was big ?

A. Yes.

Reprisals on property of absentees and their relations.

It appears that orders for reprisals against the property of people who had left Gujranwala, Wazirabad and Hafizabad in order to avoid arrest, were issued. These orders threatened reprisals not only against the property of those absconders but also against that of their fathers or nearest relations (see Orders Nos.28 and 29). The way in which these orders were carried out appears from the following instances. One Jamiat Singh Bugga who was a man of considerable position in Wazirabad and who was paying Rs. 2,000 as income-tax and had done considerable war work for which he had received official recognition, attended a meeting held on the 14th, in connection with the *hartal* which took place the next day, but does not appear to have taken any part in the demonstrations. It is not known whether he left Wazirabad for some legitimate business or because of the fear of being arrested. It is not known whether the orders for his arrest had already been issued at the time he left. Subsequently when the authorities went to his house and were informed by his son that he was not there, an order was passed by Lieutenant-Colonel O'Brien that the whole of his property be confiscated ; and after pronouncing this order, two men were deputed to turn out the inmates of the house and take possession of the property, and several females and children

were so turned out and the property was taken possession of. After a few days, Jamiat Singh surrendered himself on the 26th and the property was released about the 4th of May on the application of his son. The following is Lieutenant-Colonel O'Brien's evidence about this matter :—

Q. Then you went there and ordered that the whole property of Bugga be confiscated ?

A. Yes.

Q. And after pronouncing this order, you deputed two men to turn out the men of the house in the Jallianwala Lane and to take possession of the property ?

A. Arrangements were made.

Q. You know that in that house there were four females and six infants ?

A. I do not know that.

Q. Did you not know that the wife of this man and the mother of this man were there ?

A. I presume they would be able to make arrangements for them ; they have lots of friends.

Q. And all these females and children were turned out from the house and the house was taken possession of under your orders.

A. Yes, that is right.

In another case, three brothers had absconded. Not only was their property confiscated, but their father was arrested and his property also confiscated. This was at the town of Sheikhupura in the district of Gujranwala. The order passed by Lieutenant-Colonel O'Brien in this case was produced before us and runs as follows :—

" Until the arrest of Amar Singh, Atma Singh, Santokh Singh, sons of Gauhar Singh, the crops of the latter are confiscated to Government. Watch and ward to be put on them and any one cutting them will be liable to imprisonment or to be shot. Gauhar Singh is dismissed from the post of *lambardar*. Arrangements to be made for his successor.

Atma's timber shop of Sheikhupura is also confiscated to Government. The brick kiln, etc., of Amar Singh in Hardoi, Sheikhupura and Chuharkana is also confiscated to Government. Any other property that the sub-inspector comes to know of also be confiscated and a report made to me."

Another similar instance is that of Raila Ram who, it appears from Mr. Bosworth Smith's evidence, was arrested because his son Manga had absconded. It appears that with regard to people who had left their places of residence and were wanted, orders were issued prohibiting any people connected with them from cutting the crops in their fields until they returned.

In Kasur, a general order was issued on the 25th April to the following effect :—

" And further also all such residents who have left Kasur on or after the 10th April 1919, will return to Kasur within four days from this date, failing, measures will be taken against their property." Captain Doveton told us that in connection with this order, six houses were visited and opened, and in some cases clothes and vessels found inside were burnt and destroyed.

Mobile columns. Hostages taken for good behaviour of villages.

8. We find that in connection with the activities of the mobile columns that were sent out in the rural areas, in some places they took certain people from villages as hostages. It appears to have been done on a fairly large scale. These people were not themselves guilty of having done anything, but they were taken in order to ensure the good behaviour of their respective villages, and for the purpose of creating a general impression and also to put pressure on the villagers to give information about offences that had been committed. Mr. S. M. Jacob, Director of Agriculture, who was associated with one of these mobile columns, gives the following as the objects of this measure :—

" It was more or less protective, to prevent a recurrence of cutting (of wires), I think that was the idea underlying the orders which directed the taking of hostages."

Q. How was that prevented by taking the hostages ? Supposing there was cutting of wires after you took hostages what was intended to be done to the hostages ?

A. I suppose it is only more or less to impress the villagers that there was such a thing as Government after all, and they had some power. I imagine that was the idea.

Q. When you took hostages, did you tell the villagers why you were taking them ?

A. I told them that I was taking them in order to prevent recurrence.

Q. What impression did you think you conveyed by that ? If recurrence happened, what would happen to these people ?

A. That was left to their imagination.

Lambardar flogged and fined.

In another place he says " As far as I remember they were kept there (in the Police *thana*) in order to exert pressure on the village to give information." It appears that Mr. Jacob who accompanied Major Braid's mobile column took six hostages from one village. As the *lambardar* did not show inclination to help and was unable to give when asked any information as to how and by whom the wires were cut near the village, Mr. Jocob had him stripped naked except for his loin-cloth, bound him to a tree and inflicted 15 stripes on him and fined him Rs. 200 which he collected on the spot. Mr. Jacob admits that

he eventually found out that this *lambardar* had no information and that the cutting of the wires had really taken place at some other place. Mr. Jacob says that he inflicted this punishment on this *lambardar*, acting as a summary court-martial. It is difficult to understand this as it appears that the notification nominating Mr. Jacob as one of the officers for the summary disposal of offences under martial law was issued only on the 23rd of April, nor does this case find a place in the return of cases supplied to us. A similar case is recorded in the report of Lieutenant-Colonel Bourne who was in charge of one of the mobile columns. In his report dated the 19th April he says as follows :—

> " Narwar—The *zaildar* and *lambardar* were present. As they were told the evidence was strong and they denied all knowledge, they were given ten minutes to produce evidence. Failing that I. told them I would have beaten them. They refused to give evidence and two *lambardars* and four others were beaten by a sowar by my order. I then gave them ten minutes again and as they still refused I arrested the *zaildar*, two *lambardars* and five others and brought them in."

Proposal to erect Repentance House.

9. Mr. Bosworth Smith, it seems, conceived the idea of erecting at Sheikhupura a building to commemorate the events of April 1919, and it was meant that people would go there and repent for what they had done on the 15th April. The proposed house of repentance has been called '*Toba Ghar*' or '*Jail Ghar*.' Mr. Bosworth Smith says about this as follows :—

Q. Did you make any suggestion about erecting any house of repentance ? Did you suggest any *Toba Ghar* to be built at any of these villages ?

A. I suggested that possibly good might come out of evil by getting the leading men to subscribe by building a Jail *Ghar* at Sheikhupura.

Q. Then your idea was that people should go inside that building and repent of what they had done on the 14th or 15th April ?

A. That was the idea.

This idea of Mr. Bosworth Smith, it appears, did not receive encouragement from the higher authorities and did not materialise.

Rs. 3,500 collected from people for supplying wants of soldiers.

10. It appears from the evidence of Munshi Kirpa Singh, *tahsildar* of Wazirabad, that about Rs. 3,500 were collected from the inhabitants of Wazirabad after the declaration of martial law, and the amount was used for supplying the wants of the soldiers stationed there.

Q. During these days was every family taxed a rupee four or five weeks after the declaration of martial law ?

A. The Malik sahib was in charge of the place and he had ordered this, and this money was collected.

Q. One rupee per family or per house ?

A. Per house.

Q. And how was this money spent ?

A. The soldiers were supplied with things which they required because they had not got ready money with them.

Q. In which week after the 16th of April and on how many days was this money collected ?

A. I do not remember the date.

Q. Was it the month of April or May ?

A. It was in April.

Q. And it was collected in a day or two ?

A. No, it took 10 or 12 days.

Q. What was the total amount ?

A. Rs. 3,500 about.

Q. Through which agency was this collected ?

A. Members of the Municipal Committee.

CHAPTER VI.

Armoured Trains and Aeroplanes.

Firing from armoured train on the 16th of April not justified.

1. It appears that on the 15th of April an armoured train which had machine guns and searchlights, in charge of a British officer and British soldiers, was sent from Lahore to Sheikhupura. At Sheikhupura Lala Sri Ram Sud, sub-divisional officer, Sheikhupura sub-division, got into the train and proceeded to Chuharkana station. Some of the residents of Chuharkana and other adjoining villages had on the 14th and 15th done considerable damage to the railway lines and the railway station. The armoured train proceeded slowly from Sheikhupura and arrived near Chuharkana station in the early hours of the 16th April. Near the distant signal they found an obstruction placed on the line. After removing this destruction they were proceeding further when they found men about the line and opened fire; and one man was killed. The armoured train then proceeded to the Chuharkana station, but none of the rioters were there then. Lala Sri Ram Sud and the military escort got down from the armoured train, and went into a factory where it was suspected that some men were in hiding. Some rifle shots were fired in the dark with a view to terrify the village people. There were no casualties. On the morning of the 16th, the armoured car proceeded a mile further and pulled up in the vicinity of Chuharkana. It may be mentioned that the Chuharkana railway station is not near the village but near what is known as the Chuharkana market. From this point the machine-gun was fired from the armoured train into the village and later the party seems to have gone into the village and done some further firing. The people in the village, who were thus fired at, were not at that time engaged in any acts of violence and we think that this firing was not justified. We set out below the examination of Lala Sri Ram Sud about this firing.

Q. So you moved your armoured train from the station to a place beside this village and pulled it up there ?

A. Yes.

Q. And then you fired into the village, did you ?

A. I have said in my statement that while we were in the armoured train we noticed the movement of a number of people in the village.

Q. Yes, I will deal with that in a minute. How far were these people whose movements you saw from the train ?

A. So far as the eye-sight could reach.

Q. How many yards from you ?

A. I cannot give the number of yards. It was as far as my eyesight went.

Q. You were on the railway line ?

A. Yes, and I could see the movement of the people.

Q. You were in your armoured train opposite to the village ? The village consists of houses ?

A. Yes, but we discovered the movements of the people on the outskirts of the village.

Q. That is between the village houses and the railway line ?

A. No, on the other side.

Q. There must be several rows of houses, there cannot be only one row ?

A. Yes, but I am speaking of the outskirts of the village. The outskirts could be seen, but not the inside of the village.

Q. Where were these people, on the other side or where ?

A. By other side, I do not mean a place which I could not see. I mean they were near the village, but on the outskirts of the village, and that I could see them from the armoured train.

Q. Were they between you and the village houses ?

A. No.

Q. Between you and the village houses there was nothing ?

A. No.

Q. Where were these people ?

A. These people were on one side of the village.

Q. What do you mean by other side, do you mean behind the houses ?

A. No, I do not mean that, I mean a side that I could see myself.

Q. They were in some outskirt that you could see ?

A. Yes.

Q. How many were there ?

A. I could see movements of people.

Q. You could not see the people at all ?

A. I could see the people. Some of them could be seen moving on horseback a little further away. I could not give an exact idea of their number.

Q. You must have formed some idea ? You cannot say whether they were 5 or 10 or 100 ?

A. No, I say I discovered movements of people.

Q. You saw the people and you cannot tell me whether there were five or a 100 ?

A. I cannot tell you. There might have been a hundred people hidden behind.

Q. I am asking you about the people you saw ?

A. There were a good many people. They were considerably more than five certainly.

Q. Could you see their faces from there very well ?

A. Yes.

Q. What were their movements ?

A. They were moving.

Q. I want to know what you mean by saying you saw their movements, what movements ?

A. They were not committing any mischief, I do not say that. They were probably in consultation.

Q. They were not committing any mischief ?

A. No, not at that time.

Q. What were their actual movements ?

A. People were coming into and going out of the village.

Q. You did not know what their object was ?

A. As I came to know later their object was to attack us in the armoured train.

Q. Their object was to attack you ?

A. Yes, they were collecting and some were going to call other people.

Q. From looking at them in the distance you made out they were going to call people from the village to attack you ?

A. No, I did not say so. I said I learnt about it later, but we could guess that they were meaning some mischief to us.

Q. It is true that you learnt that afterwards ; I am dealing now with what happened.

A. Unfortunately I cannot eliminate things that are in my brain ; I have to take things together.

Q. What we are dealing with now is what you did at that time and what materials you had then and what was your frame of mind. For that purpose what you learnt afterwards is utterly useless. When you refer to their movements, what were their actual movements ?

A. As I said they were coming and going, I fancied they were collected for some object.

Q. You saw some people going into the village and some people coming out of it and from that you concluded that they were collecting to attack you ?

A. Yes, they were collecting with some sinister purpose.

Q. From the mere fact that some people were going into the village and some coming out at the time, you concluded that they were assembling for some sinister purpose ?

A. Yes, I know what their temper was before. We were still there and they had collected and had not gone into hiding.

Q. May I take it in this way, that because when you arrived in your armoured train they did not go into hiding, you thought they were out for some sinister object ?

A. Not exactly. I knew these men had done mischief, and on the arrival of the armoured train they did not disperse and so as they were still moving about I knew some mischief was intended.

Q. You say these people had done this mischief ?

A. The whole village was there I could not make any distinction.

Q. You did not make any distinction ?

A. No, certainly not, and as a matter of fact, the whole village was there.

Q. And you considered the whole village to be guilty ?

A. Yes.

Q. And because they were not in hiding and were still showing themselves, you thought you were entitled to fire ?

A. Those people ought to have dispersed in the ordinary course.

Q. Your view was that when your armoured train arrived opposite the village, no villager ought to be seen, is that your idea ? That is what it comes to ?

A. It does not come to that, that no villager should be seen.

Q. When the armoured train came there you noticed certain movements ?

A. Yes, I noticed certain movements and I concluded those movements were intended for some sinister object.

Q. What I want to know is why did you conclude that ?

A. They were not there in the morning ; they had collected then ; why were they there ?

Q. What time of day was this, early in the morning ?

A. It was about 12 or 1.

Q. And your idea was that they had no business to be going out of or coming into the village at that time ?

A. Not going out and coming in. They had some horses with them, why had they these with them ?

Q. These village people should not have any horse at all ?

A. No, but they should not be on their horses at that time.

Q. Your reason for concluding that you must fire was because you saw some people on horses, is that so ?

A. As I say this was one of the factors. Do not take things in an isolated manner.

Q. One of the factors on which you decided to fire was that you saw people on horses ?

A. Yes, some coming and some going.

Q. And you thought these people had no business to be on horses at all ?

A. Not at that time.

Q. And on that you fired ?

A. Yes.

Q. What did you do next ?

A. We went out and saw a number of people and the British soldiers fired, but it did not take effect.

Q. Where did you see them ?

A. On the outskirts of the village.

Q. At the same place as you had seen those people before ?

A. On the same side.

Q. When you saw the people what were they doing ?

A. I cannot say.

Q. You did not notice what they were doing ?

A. I have already said what they were doing.

Q. But you now came near them, you had first seen them from the train ; you had now alighted, did you see what they were doing ?

A. At that time I did not notice what they were doing.

Q. You did not care to enquire what they were doing ?

A. I did not care to enquire.

Q. You at once decided to fire ?

A. Yes.

Q. Why did you decide to fire ?

A. Because we knew they were out for mischief. I had already come to know these men were doing some mischief.

Q. Because you had the fixed idea in your mind that these people were bent on mischief you fired ?

A. Yes.

Q. When you reached near them you did not enquire what they were doing at the time ?

A. No.

Q. Or look at them ?

A. We were looking at them.

Q. You did not care to see what they were doing, you straightaway opened fire at them ? How many shots were fired ?

A. I do not know, some shots were fired.

Q. How many people were killed?

A. I do not think anybody was killed; one man was wounded.

Q. And did you do this also to teach the people a lesson and strike terror?

A. I said to avert that danger.

Q. To avoid the danger of their doing further mischief?

A. And attacking, and eventually, it was found that they were ready to attack.

Q. After having done this, did you go back to the train?

A. Yes.

The above extracts show that Lala Sri Ram Sud considered the whole village as guilty and resorted to this firing with a view to inflicting punishment and making an impression. In this connection may be noticed the evidence of Lieutenant Abdul Rahim Khan and Bawa Budha Singh, Executive Engineer, Lyallpur. They arrived at Chuharkana from Lyallpur by an ordinary train. But as the train was unable to proceed further, they were kept in the market by one Iqbal Singh, pleader, for the night. Next morning they boarded another armoured train which had arrived there, and when this train proceeded and arrived near the Chuharkana village, the armoured train in which Lala Sir Ram Sud was, came up from behind and stopped at a distance of 200 yards. Both these witnesses testify to the firing in the village from the armoured train No. 3 and the subsequent firing by the parties that went into the village. The armoured train in which Sri Ram Sud was, then returned to Sheikhupura where he alighted and from there went back to Lahore. It again returned from Lahore on the 17th, and taking Lala Sri Ram Sud at Sheikhurpura, went to Chuharkana. There was no firing this time.

Firing from armoured car on 18th April not justified.

2. Then on the 18th the armoured train with Lala Sri Ram Sud again went from Sheikhupura and pulled up near the village of Mahnianwalia. The party went to the village and fired into a crowd of about 25 people found there. L. Sri Ram Sud said that he did not know and did not see what they were doing but opened fire. We set out below the evidence of Lala Sri Ram Sud on this point.

A. We went to Mahnianwalia village, a village which had taken considerable part in the disturbances.

Q. You came with soldiers?

A. Yes.

Q. What did you do there?

A. On the way, a crowd was seen and they were fired on.

Q. Where?

A. Near Mahnianwalia.

Q. Outside it?

A. Yes.

Q. What was the number ?

A. I cannot give the number. It was a crowd.

Q. Will it be 10 or 15 people ?

A. More than that.

Q. How many ?

A. More than 25.

Q. What were they doing ?

A. There was the crowd. They did nothing. I cannot say they were doing anything.

Q. At what distance were you from it ?

A. About 2 furlongs, I should say.

Q. You did not see what they were doing ?

A. No.

Q. You did not care to see ?

A. No.

Q. In what direction were they going ? Were they standing or moving ?

A. They were probably standing.

Q. You were not sure ?

A. They were probably standing.

Q. What do you mean by 'probably'? You were not sure ? They might be moving in some direction ?

A. They were there.

Q. What were they doing ? Were they standing there or moving?

A. Some might be standing and some might be moving.

Q. You do not know what they were doing ?

A. No.

Q. And you opened fire on them ?

A. Yes.

Q. Who decided that ? Yourself ?

A. Myself and the Commanding Officer.

We are of opinion that this firing on the 18th was not justified. The action of Lala Sri Ram Sud was intended to be punitive and for the purpose of creating an impression. The following are further extracts from his evidence :—

Q. Where is that village Mahnianwalia ?

A. It is between Moman and Dhaban Singh.

Q. Did anything occur there ?

A. Yes, as both the villages of Mahnianwalia and Pucca Dulla were concerned in the mischief in the case of Dhaban Singh, and had looted that station, myself and the Officer Commanding took counsel together and thought it advisable that some lesson must be taught to these villagers. Then we walked into the village. I had no occasion to go into Pucca Dulla village, because it is further away. Mahnianwalia is nearer at a distance of one mile. Myself, the Officer Commanding and some soldiers walked together and on the way a crowd that was on the fields was fired upon.

Q. Was that crowd bent on mischief in your opinion ?

A. Yes, the whole countryside was bent on mischief in those days. It was only after this firing had been done that they came to their senses.

Another firing on the 17th of April.

3. There was another case of firing which we think it is difficult to justify. Captain Flowerdew on the 17th April under official instructions came to Chuharkana. He wanted to arrest a person called Ram Singh, but he found that he had left the village of Chuharkana and was near a well two miles away in company of some other people. When Captain Flowerdew's party proceeded in that direction, Ram Singh's party, observing them from a distance of half a mile, ran away. It is not clear whether Ram Singh was among the party. Captain Flowerdew was told in the village that he was. Fire was opened when one of the party was killed. The person killed was not Ram Singh who does not appear to have been traced that day. The fugitives apparently then got divided into two parties. The main party was followed by Captain Flowerdew, and the other party by Sergeant Davies. Sergeant Davies, it is said, came upon an armed party, some of whom were mounted; and Sergeant Davies opened fire and killed four. Captain Flowerdew in his evidence before us said that when Sergeant Davies came upon the armed party one of them fired at Sergeant Davies and thereupon Sergeant Davies opened fire. This attack on Sergeant Davies has not been mentioned in the report made by Captain Flowerdew on the 17th April (which is appendix IX to General Beynon's report of the 5th September 1919) or in any other contemporaneous document. We give below the explanation given by Captain Flowerdew of the omission.

Q. There is one more fact. Neither this report on which you have been examined nor any other thing mentions the fact that anyone fired upon Sergeant Davies ?

A. No.

Q. And today you add this statement that one man fired upon Sergeant Davies and upon that he returned the fire ?

A. Yes ; I may explain it. At the time I wrote this report there was no need to prove to anybody that there were riots on. It was a self-evident fact.

Q. Because there were riots on, therefore to your mind it was quite clear that any party of soldiers that would go to any village would be fired on ?

A. No.

Q. The mere fact that there were riots does not necessarily prove that Sergeant Davies must have been fired upon ?

A. I did not refer to it because it was self-evident that there were riots at the time.

Leaving aside the firing by Sergeant Davies, we are of opinion that the firing on the people who left the vicinity of the well on seeing the party of Captain Flowerdew from a distance is difficult to uphold.

Aeroplanes.

4. On 14th April 4 aeroplanes from Lahore visited Gujranwala. One of them dropped eight bombs and also used its Lewis Gun, another only machine-gunned, the third also used machine-gun, and the fourth took no action. In all, 10 bombs appear to have been dropped, but two have not been accounted for. The total number of rounds fired by two of the aeroplanes was 980. The total number of casualties was 9 killed by the aeroplanes as given in the Government case ; the number of the wounded by the police and the aeroplanes are not separately given ; but they were in all 27. It appears that Major Carberry in charge of one of the machines first went to Gujranwala and having hovered over it, went to Dulla village. He found there a crowd of 150 people on the road, and, as he says, walking in the direction of Gujranwala. He dropped three bombs on them and when they ran away in the village, he fired 50 rounds of machine-gun into the village. The following extract from Major Carberry's evidence about the incident shows that he was trying to produce a moral effect :—

Bombs dropped on outlying villages.

Q. Those bombs you dropped on particular crowds that you saw there ?

A. Yes.

Q. Where were those crowds, in the streets or outside the village ?

A. They were on the road outside the village.

Q. That crowd consisted of how many people ?

A. I reported 150, I cannot tell you exactly.

Q. How many miles was this village from Gujranwala ?

A. About two miles north-west of Gujranwala.

Q. What was this crowd doing ?

A. They were going towards Gujranwala.

Q. How were you able to ascertain that they were coming to Gujranwala ?

A. They were walking in the direction of Gujranwala.

Q. And you dropped three bombs at them ?

A. Yes.

Q. Then you say in your report that you fired machine gun into the village itself ?

A. Yes.

Q. That firing was not at any particular crowd ?

A. It was at the people on whom I dropped the bombs and who ran back to the village.

Q. When you first dropped bombs on a party of 150 strong they began to run away into the village ?

A. Yes.

Q. And you fired machine gun into the village also ?

A. Yes.

Q. That was over the houses in the village ?

A. I suppose some of the shots hit the houses.

Q. You say that the people when they were fired at began to run away, *i.e.*, after you dropped the bombs they began to disperse and got into some of the houses. That is what they attempted to do ?

A. Yes.

Q. You fired machine gun into the village and threw bombs on those people who took shelter in the houses but there were other innocent people in those houses.

A. I could not discriminate between innocent and other people who were, I think, doing damage or were going to do damage.

Q. You say that on 150 people, that were seen there, you dropped three bombs with the result that they dispersed and ran into the village. Was not your object accomplished ? Was there any further need of firing machine gun ?

A. The machine gun was not fired indiscriminately. It was fired on the people who were running away.

Q. You fired machine gun into the village ?

A. I said the crowd scattered and ran back into the village, and I have said that 50 rounds machine-gun were fired into the village. I fired at the men.

Q. When the crowd split up and there could not be on the spot particular people in the village; they must be running away and entering the houses; then you fired machine-gun into the village which hit the houses in which there were perfectly innocent people ?

A. I was at a height of 200 feet. I could see perfectly well and I did not see anybody in the village at all who was innocent.

Q. What I mean, Captain, is this. When you threw the bombs on them they began to run away. Was not your object really accomplished ?

A. No.

Q. What was the further need of machine-gunning them and killing them ? Your object was to disperse the crowds that had assembled and were attempting to proceed to Gujranwala. The throwing of bombs

must have resulted in some casualties. Was there any further need of firing of machine-gun ?

A. Yes, to do more damage.

Q. But then the object seemed to be to hit or kill more people in that crowd, although they had begun to disperse and were running away after the bombs had been thrown on them ?

A. I was trying to do this in their own interests. If I killed a few people they would not gather and come to Gujranwala to do damage.

Q. Do I take it then, although by the first throwing of the bombs they began to disperse and run away, you still machine-gunned them in order to prevent the possibility of their re-assembling, the idea being to produce a sort of moral effect on them ?

A. Yes. Quite right.

Bombs on Gujranwala Khalsa Boarding House.

Then Major Carberry appears to have gone to another village and there fired the machine-gun on 50 people who, he saw, were coming to this village from Gujranwala. According to Major Carberry, he did not see any casualties. Then Major Carberry returned to Gujranwala and dropped a bomb which evidently fell over the Khalsa Boarding House. He further fired 30 rounds of machine gun into the people in the precincts of this building. Then he dropped two further bombs somewhere about the railway station and fired 150 rounds of machine-gun into the crowds in the city of Gujranwala.

Another aeroplane from Lahore, in charge of Second-Lieutenant Vincent, fired about 25 rounds of machine-gun into a crowd of 20 or 25 near the level crossing. Lieutenant Vincent appears to have flown round the outlying villages and fired about 700 rounds of machine-gun on small crowds who had according to him dispersed and taken cover. This appears from Lieutenant Vincent's statement embodied in the report of Lieutenant-Colonel Minchin, Wing Commander.

We are of opinion that looking to the inherent difficulties in regulating the operations of an aeroplane on a town consisting of a large number of innocent people, the danger of a person in the aeroplane unfamiliar with the town not being able to make out unmistakeably whether any particular people are peacefully engaged or otherwise and the consequent risk of hurting innocent people, are so grave that the use of aeroplanes in case of such disturbances is to be deprecated. It is said that when no other means were available of sending relief the use of an aeroplane was the only means that could be adopted. It is difficult no doubt to lay down any general proposition applicable to all conditions, but as we have said above, the danger inseparable from the use of aeroplanes for bombing is so considerable that it should as far as possible be deprecated. It appears that two days before these aeroplanes were sent to Gujranwala, there was a discussion at Government House where Sir Michael O'Dwyer says it was decided that when aeroplanes were to be used they should not drop bombs in any city or thickly populated area because they could not do so with discrimination. The suggestion to send aeroplanes

to Gujranwala on the 14th was made by Sir Michael O'Dwyer. The following entry appears in the Government House War Diary :—

" General Staff Officer, 16th Division, asked to send aeroplanes and drop bombs if necessary and a good target presents itself. The opportunity for an aeroplane seems good."

The following entry appears in the General Staff Diary :—

Private Secretary to Lieutenant-Governor telephoned to me as follows :—" Deputy Commissioner, Gujranwala, 12-30. *Hartal* still going on, mob active, more expected. Bridges on either side station burnt. 15 Up Passenger stopped by mob. Police force insufficient.

His Honour considers this to be good opportunity for aeroplanes to use bombs as there is little opportunity of hurting friends.

I repeated this immediately to the General Officer Commanding and received orders to send what aeroplanes available."

We are unable to uphold the action of Major Carberry in dropping bombs on the Khalsa High School and on the people in the two villages. It is said that Major Carberry was merely carrying out the orders given to him by Lieutenant-Colonel Minchin, which were to the effect that the crowds were to be bombed if in open, and that gatherings near the local villages were to be dispersed if coming or going to Gujranwala. General Beynon's evidence shows that the orders originally emanated from him. He says " I can give you the exact orders. I can remember them fairly well. They were to proceed to Gujranwala and break up any gathering found doing damage to the civil lines or station and disperse any crowd within, I think, two miles either proceeding to or coming from Gujranwala. I think so far as I remember these were the orders." We think that the latter part of the order was unfortunate and looking to the evidence of Major Carberry, sufficient discretion was not used in carrying them out. The two bombs that did not explode, by whatever machine they were dropped, were clearly against the instructions not to drop bombs in the native city. That they did not burst was merely an accident and cannot justify the action of the aeroplanes in dropping them. On the evidence we do not think it clear that the bombs which exploded near the level-crossing were dropped from Major Carberry's machine. His action in firing from the machine gun into crowds in the street of the city we consider excessive.

Aeroplane dropping bombs on the 15th of April.

5. On the 15th of April, Lieutenant Dodkins flew over Gujranwala and its vicinity. He says he noticed about 20 people in a field about 1 mile away from the town of Gujranwala, and he fired at them 148 rounds with a Lewis gun. In a village, half mile west of Gujranwala, he dropped a bomb at people about 30 to 50 in number who were standing at the door of a house. Lieutenant Dodkins says he noticed someone addressing from the door. The 20 people that Lieutenant Dodkins saw were, it appears, not on any road, but in a field, and they were not armed with sticks, and Lieutenant Dodkins says they were doing no work but were standing and talking to one another. When asked how he justified

firing at people who were in a field and doing nothing wrong, he said "My orders were to disperse any crowd and that gathering of 20 people was a crowd and so I dispersed them." We presume that Lieutenant Dodkins did not in going to Gujranwala on the 15th act on any specific orders for that is not alleged. He apparently acted under the general orders that were issued to the Royal Air Force. General Beynon's report of the 5th September shows that when information arrived of attacks on railway communications on the 12th and the 13th certain orders were issued to the various units of the military force. Paragraph 36 of the said report says :—"Orders were also issued then to the Royal Air Force that the pilots were to keep a look-out when carrying messages or reconnoitring for any gangs damaging the railways and they were to fire on them immediately." If Lieutenant Dodkins was acting under these instructions, it is obvious he exceeded them. If on the other hand his orders were "to disperse any crowd" without reference to the place where it was and what it was engaged in doing, the authority who gave such an order was wrong in giving such orders.

CHAPTER VII.

Courts under Martial Law.

The effect of the various ordinances and the notifications by the two General Officers Commanding was to bring into existence the following courts during the period of martial law :—

Exclusion of legal practitioners.

(1) Summary courts presided over by area officers and civil officers authorised in that behalf to dispose of cases under Martial Regulations. Besides all officers designated as area officers, this term included every Officer Commanding a station or regiment, every Field Officer, every Officer Commanding a brigade and all officers appointed by the General Officer Commanding the Lahore Civil Area or by the Local Government. These summary courts had powers to pass sentences of imprisonment of two years, fines up to Rs. 1,000 and also whipping. (2) Tribunals composed of three Judges, which were empowered to try any person who was charged with any offence committed on or after the 30th March. These tribunals tried only major offences in relation to disorders. (3) Summary courts presided over by officers nominated by the Lieutenant-Governor, who were authorised by the notifications of the 5th May 1919, issued by the two General Officers Commanding, to try offences against the ordinary law, arising out of the disturbances but committed before the declaration of martial law. These notifications laid down the following limitations to the exercise of powers of those summary courts, namely that these courts (*a*) shall take cognizance only of cases sent by the police ; (*b*) shall not try any person for an act which is not an offence under the ordinary law ; (*c*) shall not try any person for an offence exclusively triable by a Court of Sessions ; (*d*) shall not pass in respect of any offence any sentence which is not authorised by the ordinary law for that offence ; (*e*) shall not pass any sentence which could not be passed by a First Class Magistrate. The legal sanction for constituting the last class of summary courts with powers to try offences against the ordinary law committed before the proclamation of martial law and for clothing them with retrospective powers is not very clear. General Beynon seems to think that he derived the power from the *Army Act*. We think, however, that it is beyond our enquiry to investigate this point and express any opinion on it. We think that the trial of people who were not arrested for and charged with taking any part in the actual disturbances by special tribunals was unwise. People like Drs. Kitchlew and Satyapal who had already been deported before the actual disturbances took place and people like Lala Har Kishan Lal, Pandit Rambhuj Dutt Chaudhri and Lala Duni

Chand who were not charged with taking any part in the disorders of the 10th and subsequent dates, but were tried for having by their previous acts and speech been guilty of sedition, should have been left to be dealt with by the ordinary courts. The course adopted was calculated to create the impression that they were prejudiced in getting a fair trial. The manner in which all legal practitioners of their choice were prevented from conducting their defence necessarily heightened that impression. It appears that Lala Har Kishan Lal and others were brought to Lahore about the middle of May, were arrested for the offences with which they were charged and the trial was begun in a day or two afterwards. They engaged legal practitioners from Calcutta, Bombay, Allahabad and Patna but were denied their assistance. This was brought about by an order issued on the 14th of May in identical terms by the General Officers Commanding the 16th (Lahore) and the 2nd (Rawalpindi) Division respectively :—

" Notice is hereby given to all people concerned that legal practitioners whose ordinary place of residence is outside the Punjab will not be allowed to enter the martial law area without the permission of the martial law administrator."

The issue of such orders on the eve of their trial had all the appearance of depriving these people of the assistance of the counsel of their choice. It appears from Mr. Thompson's evidence that the idea of excluding outside counsel orginated with the Punjab Government, and they suggested it to the military authorities. The reason for the suggestion was " the desire to prevent the disturbances of the political atmosphere now rapidly cleared by outsiders whose main purpose would not improbably be the revival of agitation under the protection afforded by the court." Mr. Thompson admitted that this objection was inapplicable to all lawyers who had applied for permission to defend the accused. In fact, however, all lawyers were refused permission. General Beynon said that this was not the reason for which he issued the orders against the legal practitioners. According to him the reason was that it was not necessary to have these lawyers in, and that he did not want to have to keep an office to deal with applications. General Beynon said :

" My intention was that it was not necessary to have all these people in. They were not an advantage to me. That is how I looked at it from the military point of view." In another place he said, " I daresay I looked at it from the military point of view and it was not necessary from the military point of view that those gentlemen should enter the area."

Q. What was the reason that you considered their presence unnecessary ?

A. Because their presence was not considered necessary."

The suggested reason with regard to keeping an office for dealing with numerous applications is not sound. There was an office which was dealing with applications for permits of various descriptions and

was issuing them in large numbers. Moreover neither before nor after this order there were any appreciable number of applications from lawyers. In fact, in a note supplied by the Punjab Government the number of applications before the 14th May are only two, one is on the 14th and eight on subsequent days. The form in which the order was made was really calculated to result in the military authorities having more applications to deal with. It appears that at one time the trial of Kali Nath Roy, the editor of the "Tribune," was actually postponed by the Tribunal for enabling Mr. Eardley Norton to appear for him. Then at a later stage Mr. Eardley Norton was prohibited from coming by an order to that effect made on the 11th of May.

Mr. Andrews, who was deputed by certain papers as their representative, was also refused entrance into the Punjab. By these orders of exclusion the Punjab Government laid themselves open to the suggestion, that their desire was to prevent outside people from knowing what was happening in the Punjab. Mr. Thompson denied emphatically, disclaimed any such intention, and said that they had called a representative of the *Indian Mirror* of Calcutta at Government expense and sent him round with Indian officers for the purpose of publicity work. The contention put forward that by this order the accused were placed in no worse position than they would have been in if they had been tried before the High Court at Lahore, because that court had the discretion to refuse permission to an outside practitioner to appear and that in all probability that court would have refused permission is, in our opinion, not sound. The examination of Mr. Thompson on this point shows that the information subsequently gathered as regards the precedents in other courts were somewhat misleading. We venture to think that no High Court would have in the exercise of its discretion refused permission for an outside counsel to appear for an accused charged, as the accused were in this case, with the heinous offence of waging war which would expose them to the death penalty.

"Fancy" Punishments.

2. The evidence shows that Captain Doveton, acting as an Area Officer, gave what have been described by Mr. Marsden, S. D. O., Kasur, as "Fancy Punishment." They have been referred to in the majority report in paragraph 27 of the Chapter on martial law.

In a number of cases, he ordered people to be taken to the goods shed to load and unload bales for a day or two. In the case of those who were so ordered to work for a day, they were allowed to go home for the night on depositing some of their belongings as security for their returning the next morning. We think this, in effect, amounted to rigorous imprisonment while they were so at work in the goods shed. This is what Captain Doveton says:—

Q. The work that these people were made to do was no easier than the work which the prisoners in jails under rigorous imprisonment are made to do?

A. I did not intend it to be.

Captain Doveton says that in case of individuals who were truculent and defiant he awarded this punishment in cases where the railway had any thing to recover from them. Captain Doveton says in his report as follows :—

" Shortly after the raising of martial law from the city there was a noticeable influx of a type of individual whose attitude towards authority was not a good example for the people of Kasur, many of these being not merely truculent but openly defiant. One heard such expressions as " *Hukam kya chiz hai,*" " *Ham koi hukam nahin jante.*"* Unless there was some tangible offence it was unfortunately impossible to deal with such persons, but in cases where the railway had anything to recover from them, they were sent to do work in the goods yard equivalent to the amount to be recovered from them in the event of their being unwilling or unable to pay."

" In view of the fact that this particular station had been the scene of murder and unprecedented violence a short time previously, similar treatment was meted out to all persons who threatened railway officials or made a show of violence to them, by way of pointing out that the station was Government premises and that they should be regarded as such."

These punishments have not been shown in the usual return of cases.

Compelling people to put their foreheads on the ground.

3. Captain Doveton explains that he treated these as minor punishments and inflicted them in cases where the ordinary martial law punishments were unsuitable. It is difficult to accept the description 'minor punishment' as regards the orders to do the work of loading and unloading in the goods sheds for a day or two. Then Captain Doveton compelled all people who were convicted by him of any offence to put their foreheads on the ground, irrespective of the nature of the offence. Captain Doveton gives the following reason for adopting this course :—

Q. What was it intended to accomplish, this order about their putting their foreheads on the ground ?

A. To the people of that place there was no such thing as authority and every body was his own master. The main object was to impress on the people that every body was not his own master and they had got to conform to order.

Q. Was that not sufficiently brought home to them by the convictions and sentences that you inflicted this on them in addition ?

A. I thought it was suitable.

We think it was unwise to have made people thus put their forehead on the ground. They must have felt it as a humiliation.

* " What is an order ? I don't know any order."

4. The following are the figures of the sentences of whipping inflicted in the five districts under martial law, ranging from 5 to 30 :—

Flogging.

(*a*) Lahore	80
(*b*) Kasur	79
(*c*) Chuharkana S. D.	40
(*d*) Gujranwala	24
(*e*) Amritsar	32
(*f*) Gujrat	3
(*g*) Lyallpur	*Nil*

This makes the total of 258. It does not include the flogging inflicted on the six boys at Kasur and the flogging inflicted on the six persons under trial for the attack on Miss Sherwood for the breach of Fort discipline. It also does not include any flogging resorted to when the mobile columns visited the various villages. The normal procedure adopted was to strip the person to be whipped and to tie him to a frame-work and then lash him. It appears that a marriage party in Lahore Civil Area were arrested because they were more than ten in violation of the Martial Law Order 1 and some of them were flogged. The area officer in passing sentence on one of them made the following record. " He is young. Flogging will do him good." Lieutenant-Colonel Johnson stated before us that this case was regrettable and that when he heard of it, he had the powers as summary court-martial of that officer taken away. It appears that flogging in the beginning was done publicly; but after the 19th April or thereabout it was carried out in Lahore in the Central Jail. Sir Michael O'Dwyer says that the Viceroy had written to him on the subject and he replied to him on the 21st of April to the effect that he had told the military authorities that it was very undesirable to have public flogging. Lieutenant-Colonel Johnson and General Beynon told us that the Commander-in-Chief advised them to discontinue public flogging. Sir Michael O'Dwyer in his evidence before us expressed the view that he did not think that there was really any harm in having on the first day a few public floggings which would make the people realise that law was re-established and people who had infringed the law must accept some chastisement. Although instructions from higher quarters, as stated above, had the effect of stopping public floggings in Lahore, in outside places it was not wholly discontinued. At Kasur a railway employee was flogged on the railway station on the 25th April and the sentences of whipping inflicted by Mr. Bosworth Smith of the Sheikhupura sub-division used to be carried out in the court compound after the rising of the court. Mr. Bosworth Smith explained that his court was held at the canal bungalow which was outside the town, and that the only people present would be the accused persons and the witnesses in other cases before him. He therefore said that the place " was not altogether private, and it was not public." Sir Michael O'Dwyer says that when he discovered that flogging was being carried out comparatively freely he spoke to the military authorities on the 19th April. Up to that time, Sir Michael O'Dwyer said only

12 floggings had been carried out. Apparently this had not much effect on the martial law administrator for it appears that as many as 68 sentences of whipping were subsequently passed in the Lahore Civil Area itself. This is not surprising as Lieutenant-Colonel Johnson told us that in his view, " when the civil population runs amuck, if I may say so, as in this case, it is the only method by which you can deal with it." Sir Michael O'Dwyer says that after he had called Lieutenant-Colonel Johnson's attention on the 19th April, he had no reason to think that the sentences of flogging were in any way excessive. But in view of the figures given in the beginning of this paragraph we think that Sir Michael O'Dwyer was under some misapprehension. The sentences of flogging were attempted to be defended before us on the ground that it was the most convenient and speedy way of dealing with offences under martial law, and that it was the ordinary punishment inflicted in the Army. General Hudson, however, told us that for the last two years or so the Commander-in-Chief had issued executive orders to the effect that no corporal punishment should be inflicted without getting sanction from the Army Headquarters and that although flogging is in the list of punishments in the Indian Army Act, it has been placed somewhat on a different footing by the executive orders above referred to. There is also considerable repugnance to the punishment of flogging as it is humiliating in its nature, and in India for some time there has been considerable agitation in favour of the abolition of whipping as a punishment under the criminal law. Under these circumstances, we think that it was unwise to have resorted to flogging on a scale on which it was done and that this measure must have resulted in bitterness of feeling.

Trials before summary courts.

5. It appears that the cases of the breach of Martial Notices and Orders were not many and did not occupy the time of any of these courts for any appreciable time. The vast majority of the cases dealt with by these courts were in respect of offences committed between the 30th March and the date of the proclamation of martial law. In the Martial Law instruction No. 3, dated the 25th April 1919, in the Sialkot Brigade Area, it is provided by paragraph 12 that an evidence will be taken on oath and a very brief précis of evidence and the accused's statement submitted on or with Form No. 5.

We are informed that these summary courts were bound by these instructions. The procedure prescribed conformed neither with that prescribed under the Indian Army Act nor with that prescribed for summary trials under the Criminal Procedure Code. These courts were empowered to award punishments up to imprisonment for two years, fine up to Rs. 1,000 and also whipping; and it appears that they tried people for serious offences under the Defence of India Rules and for making seditious speeches and enforcing *hartal*. Their decisions were not open to appeal. Under the circumstances it was incumbent that the trial should be so conducted and the record so kept that there might be no room for any suggestion of prejudice. In the form above

referred to, column No. 5 is headed "Witnesses and brief circumstances alleged against accused," and column 6 is headed, "Brief statement of witnesses for defence and statement by accused" and column 7 is headed "Finding." We had produced to us the records of these trials and a careful examination of them revealed to us the following in a comparatively large number of cases:—

(*a*) Column 6 was absolutely blank.

(*b*) The whole form appears to have been filled in by some clerk and initialled by the presiding officer in the last column.

(*c*) Under column 7, "Finding," only guilty or not guilty is mentioned.

This has been done even in cases where a great number of prosecution witnesses and a large number of accused were undergoing a trial for a serious offence.

(*d*) Offences such as cheating, perjury, false personation, adultery, etc., evidently not in any manner connected with the disturbances, were tried. They were swept in under clause 15 under the Martial Law Proclamation as acts which were to the prejudice of good order and public safety.

The impression left on us is that these trials do not appear to have been conducted as satisfactorily as one would desire. We must say that some of these officers who presided over these courts appeared before us as witnesses but as at that time we had not before us the records of these cases we were unable to put the above facts to them and hear their explanation.

Arrests under martial law.

We are unable to concur in the conclusions of the majority regarding arrests both by the military and the police during the period under review. People seem to have been arrested on mere suspicion and kept in custody for considerable periods. Some of them were never brought to trial, and others brought before the court had to be discharged because there was absolutely no evidence against them. We think that it was a very unsatisfactory feature that people were kept for many days under arrest without being brought before a court and remanded, and facilities for bail were unnecessarily curtailed, even with regard to bailable offences.

It appears that Lieutenant-Colonel O'Brien said that before the introduction of martial law he arrested certain leading people at Gujranwala and added that why he made those arrests was that such arrests were likely to have most good effect. He also made similar arrests at Wazirabad on the 16th and at Sheikhupura on the 19th April. He says, in none of these cases warrants were issued for their arrests and that they were arrested under the Defence of India Act. It appears that Lieutenant-Colonel O'Brien was not appointed an area officer under General Beynon's Proclamation of 19th April until the 23rd April, and the notification of the Government of India empowering the District Magistrates in the Punjab to make arrests under the Defence of India

Rules did not appear till much later. Lieutenant-Colonel O'Brien says that he had a conversation with the Chief Secretary over the telephone and he was given to understand that if he took action hurriedly it would be legalised afterwards if it was done in good faith.

We do not propose to enter into any detailed examination of these cases but give below certain illustration as examples :—

The following proceedings with regard to certain people arrested by the flying column in charge of Lieutenant-Colonel Bourne are given below :—

Present as below :—

I. *Sahajpal village*—

1. JALAL.
2. BARKAT.
3. PEER BAKHSH.
4. MEHTAB.

Arrested by Colonel Bourne on 16th April 1919, who says "No direct evidence but it (Sahajpal) is near the place where grass farm stacks were burnt."

Police Report "No evidence, should be discharged." The four men are accordingly discharged and released from custody. After it has been explained to them how wrong it was for people to attend to false reports and bad advice, etc.

II. *Narwar village*—

1. SAMAN SINGH (*lambardar*),
2. BAHADUR SINGH ,,
3. RADHA SINGH,
4. BOOTA SINGH,
5. HUKAM SINGH,
6. DEVI CHAND.

and five others (not brought up by mistake).

Colonel Bourne says: The crowd who burnt the station came from the direction of Narwar.

Colonel Bourne asked the *Ziadar* and *lambardar* of Narwar who denied all knowledge of who burnt railway station and to produce evidence as to the culprit, they failed to do so and were arrested with others named above.

The police report as regards these Narwar men "not wanted." No evidence. Village has been fined."

I accordingly discharge the Narwar men present to-day and release them from custody after admonishing them as in the case of (1).

I may note Narwar is fined Rs. 15,000 (half a year's revenue) by the G. O. C. Brigade on 21st April 1919.

The fine was paid on 24th April 1919.

Sânke village—

1. VEER SINGH.
2. CHANCHAL SINGH.

Sanke is a village in the neighbourhood of Wagha railway station (3 miles) was by the G. O. C. Brigade fined Rs. 300 on 21st April 1919. Fine paid on 24th May 1919.

Police say no evidence, should be dismissed. I accordingly discharge both these men and release them from custody after speaking to them as to others.

LAHORE CANTONMENT: F. SPENCER,

15th May 1919. *Cantonment Magistrate and Area Officer.*

These persons amongst others were arrested on the 16th or 17th of April and were released from custody on the 15th of May (practically after one month).

7. Similarly we may draw attention to the arrests of Dr. Kedar Nath Bhatia and Sardar Gurdial Singh at Amritsar and of Dr. Manohar Lal at Lahore. On the materials before, we cannot avoid the conclusion that there were no sufficient grounds for making these arrests. Dr. Kedar Nath, an old retired Assistant Surgeon, occupying considerable position in Amritsar, was arrested and hand-cuffed and kept under arrest for about a month, but without being brought to trial. Similarly Dr. Manohar Lal, a Barrister-at-Law of standing in Lahore, was arrested apparently because he was one of the trustees of the paper the "Tribune"; he was arrested and hand-cuffed and kept in the Lahore Jail for about a month, and released without being brought to trial. Mr. Gurdial Singh, a Barrister at Amritsar, at considerable risk to himself, did his best to prevent the crowd from getting unruly at the railway footbridge at Amritsar. Mr. Miles Irving acknowledged his services before us. It appears that he was arrested and at his trial Mr. Miles Irving gave evidence, testifying to the creditable part he had taken in assisting the authorities and he was discharged. Mr. Miles Irving said to that "I think people rather laughed at him. What he afterwards said to me was 'they are all laughing at me because I have done my best for you and all I have got is to be arrested.'" At Gurdaspur about eight pleaders were arrested and kept in custody for nearly six weeks and were then released without being brought to trial. In all, 789 persons were arrested, who were never brought to trial.

8. It may be noticed that the sentences passed by the Martial Law Commissions were considerably reduced by Government. Out of 108 death sentences, only 23 were maintained and the remaining were commuted to transportation in some cases and in the rest to sentences

of imprisonment going down to one year. Out of 265 sentences of transportation, only 2 were maintained, 5 were commuted altogether, and the rest were commuted to imprisonments varying from 10 years to one year. There is a great disproportion between the original sentences and those to which they were commuted and this gives ground for the suggestion of initial severity that has been made.

JAGAT NARAYAN.

C. H. SETALVAD.

SULTAN AHMED.

APPENDIX I.

Chronological Statement of events in the Punjab.

(ABRIDGED FROM STATEMENT OF PUNJAB GOVERNMENT.)

30th March 1919.

Amritsar District.

Amritsar.—Complete *hartal* but no collision with the police. Mass meeting held.

Ferozepore District.

Fazilka.—*Hartal* observed but shops were opened towards the afternoon.

Hoshiarpur District.

Mukerian.—The Arya Samaj party secured the observance of complete *hartal.*

Jhang District.

Jhang-Maghiana.—The *hartal* decided on at previous evening's meeting started but was finally stopped by the leaders at the instance of the Deputy Commissioner.

Karnal District.

Karnal.—An Urdu manuscript notice with headline "30th March—day of *hartal*—sign of mourning" found stuck up in the bazaar. This notice advocated mourning and prayers for passive resistance, and declared that two methods of opposing the Rowlatt Act suggested themselves, *i.e.*, revolution and passive resistance, but as arms were wanting for the former, the latter course should be pursued.

Panipat.—Partial *hartal* observed and a meeting was held in the town advocating passive resistance.

Multan District.

Multan.—A complete *hartal,* affecting both Hindu and Muhammadan shops, was held. Meetings were held at the Narsinghpuri shrine at 11 A.M., at the Prahladpuri shrine at 1 P.M. and at Kup Vangigaran at 4. P.M. The speeches were mostly directed against the Rowlatt Bill.

Muzaffargarh District.

Kot Adu.— A meeting was held by the local Arya Samaj. Lectures condemning the Rowlatt Act were delivered.

31st March 1919.

Sialkot District.

Sialkot.—A private meeting held to arrange a *hartal* for the 6th.

Jullundur District.

Jullundur.—Provincial Conference mass meetings addressed by Dr. Kitchlew and Dina Nath of Amritsar.

Ludhiana District.

Ludhiana.—A meeting of women protesting against the Rowlatt Act was held in the Arya Samaj temple, when the daughter of Munshi Ram of Delhi addressed some women and spoke against the Act.

2nd April 1919.

Ambala District.

Ambala.—Meeting held at which it was decided to observe *hartal* in the city on the 6th.

Amritsar District

Amritsar.—Swami Satya Deo, a follower of Mr. Gandhi, lectured on "Soul Force" and endeavoured to dissuade the people from violence and from holding public meetings until the issue of Mr. Gandhi's manifesto.

Hoshiarpur District.

Hoshiarpur.—Suggestions made to invite Dr. Kitchlew, who happened to be in Jullundur, to address a meeting but the proposal was not acted on.

Jullundur District.

Jullundur.—Provincial Conference mass meetings addressed by Dr. Kitchlew and Dina Nath of Amritsar.

Lahore District.

Lahore.—The Superintendent of Police forbade public processions in streets for one month under the Police Act.

Montgomery District.

Montgomery.—Meeting in the Bar room to promote *hartal*

3rd April 1919.

Ambala District.

Rupar.—A meeting was organized which passed resolutions condemning the Rowlatt Act and deplored the results of the Delhi riots. This was followed by strenuous efforts to secure complete *hartal* for the 6th.

Gurdaspur District.

Batala.—A committee formed in the local Bar room to promote *hartal.*

Gurdaspur.—A committee formed to organize a *hartal* for the 6th.

Gurgaon District.

Rewari.—A small number of arrivals from Delhi spread the idea of *hartal* in the town.

Hoshiarpur District.

Hoshiarpur.—Apparently on suggestions made from Jullundur, a leading Arya Samajist and a few pleaders and traders discussed the observance of *hartal* on the 6th. In evening two agitators (one of whom was subsequently prosecuted at Lahore) got up a Muhammadan meeting nominally about municipal affairs, but *hartal* was discussed and a prominent Muhammadan pleader was subsequently asked to assume leadership.

Ludhiana District.

Ludhiana.—A second meeting for the purpose of protesting against the Rowlatt Act and urging upon the people the necessity of holding a *hartal*, was held at Qaisarganj grain market.

Sialkot District.

Sialkot.—Shop to shop visits carried out to promote *hartal*, also a private meeting held for the same purpose.

4th April 1919.

Amritsar District.

Amritsar.—Dr. Kitchlew, Pandit Kotu Mal, Dina Nath and Swami Anubhava Nand served with orders not to speak in public.

Hoshiarpur District.

Hoshiarpur.—A meeting was held by leading pleaders and traders, at which it was decided that Hoshiarpur city must fall into line with the rest of the Punjab on the subject of *hartal*. It was decided to issue a notice, fixing *hartal* and a public meeting for the 6th.

Lahore District.

Lahore.—The municipal members and honorary magistrates and well-disposed traders were urged in the morning to do their best to prevent *hartal* and disorders on the 6th. Lala Duni Chand and Chaudhuri Shahab Din spoke against the Rowlatt Act at this meeting. The promoters of the *hartal* fixed for the 6th were warned by the Deputy Commissioner that they would be held responsible for any disorder occurring on that date.

Multan District.

Multan.—A meeting of the Hindu-Muhammadan *panchayat* was held, at which it was decided to frustrate the welcome which the Municipal Committee had decided to give the 2-30th Punjabis who had recently returned from active service in Egypt and Palestine. The Vice-Presidents of the municipal committee vainly remonstrated against the proposed action.

Karnal District.

Karnal.—A meeting was held to arrange for the *hartal* on the 6th.

Sialkot District.

Sialkot.—Handbills issued in furtherance of the *hartal* fixed for the 6th.

5th April 1919.

Amritsar District.

Amritsar.—Local congress committee, alarmed by Delhi riots, declared against *hartal* on the 6th. Leading citizens assembled at the house of the Deputy Commissioner whom they assured that there would be no *hartal*, but about 5 P.M. Drs. Satyapal and Kitchlew and some others decided at a private meeting that *hartal* should take place.

Dera Ghazi Khan District.

Jampur.—A private meeting by a few Muhammadans to promote *hartal*.

Ferozepore District.

Ferozepore.—*Hartals* had been under discussion since the 1st April and it was eventually decided on the 5th evening to hold *hartal* on the 6th.

Gujranwala District.

Gujranwala.—Barristers and pleaders arranged a meeting, the notice regarding which was hurriedly printed and circulated through the town. In the afternoon the Deputy Commissioner sent for the leaders and warned them he would hold them responsible for any disorder. In the evening a meeting, largely attended by Hindus, was held at which the speeches denounced the Rowlatt Act as a shameful recompense for India's loyalty. One individual, speaking as an eye-witness of the Delhi incident, alleged that the official account was incorrect.

Hafizabad.—Local agitators held secret meeting to discuss measures of passive resistance, a special delegate being sent to Lahore to concert action.

Hoshiarpur District.

Hoshiarpur.—A notice under 53 signatures issued, directing *hartal* to be observed on the 6th. A few leading citizens, whom the local authorities advised to stand out against *hartal*, issued a notice against it without effect.

Jhelum District.

Jhelum.—A private meeting held by certain residents decided to promote *hartal* on the following day.

Lahore District.

Lahore.—The promoters of the *hartal* attempted to obtain full control of the city by offering to take responsibility if the police were withdrawn. They took full advantage of the assurance given that Government would not forcibly compel shopkeepers to open or close shops and employed a good deal of pressure to promote the *hartal*. Notices and placards issued. Arrangements were made to parade military forces round the Fort road and elsewhere.

Ludhiana District.

Ludhiana.—A third meeting for purpose of protesting against the Rowlatt Act and urging the people to hold a *hartal*, was held at Qaisarganj grain market.

Lyallpur District.

Lyallpur.—The district congress committee held a public meeting of protest against the Rowlatt Act. It was resolved to institute a *hartal* on the following day.

Montgomery District.

Montgomery.—A large number of posters inciting people to protest against the Rowlatt Bill was brought from Lahore and placarded all over the town.

Karnal District.

Karnal.—Mass meeting to arrange *hartal.*

Multan District.

Multan.—The Deputy Commissioner called up 15 of the most prominent members of the Hindu-Muhammadan *panchayat*, and warned them that violence in enforcing a *hartal* would be treated as criminal. The warning was received in silence. The proposed visit of the 2-30th Punjabis to the city was postponed.

Muzaffargarh District.

Kot Adu.—Pandit Lok Nath, an employee of the Lahore Arya Samaj, delivered a lecture at a public meeting condemning the Rowlatt Act.

Muzaffargarh town.—In the evening the Secretary of the local branch of the new Muslim League announced he would hold a meeting in his house on the following (6th) morning.

Rawalpindi District.

Rawalpindi city.—Mass meeting took place to protest against the Rowlatt Bill and advocate a *hartal.*

Rohtak District.

Bahadurgarh.—A meeting was held at which a lecture was given by Pandit Tota Ram of Aligarh.

Sialkot District.

Sialkot.—Mass meeting at the Ram Talab to promote *hartal.* Speeches dealt with necessity for Hindu-Muhammadan unity. The local leaders warned by the Deputy Commissioner that violence would be suppressed by military force

6th April 1919.

Ambala District.

Ambala city.—An incomplete *hartal.* In the evening a meeting protesting against the Rowlatt Act

Rupar.—Partial *hartal.* Certain Arya Samajists opposed the Sub-Divisional Officer in his efforts to explain the Rowlatt Act to the people.

Amritsar District.

Amritsar.—A manuscript notice was affixed to the clock tower calling on the people to "die and kill." Complete *hartal* but no collision with police, the organizers avoiding anything to justify intervention.

Dera Ghazi Khan District.

Jampur.—Public protest meeting held, which was attended by Hindu and Muhammadans.

Ferozepore District.

Ferozepore city and cantonments.—*Hartal* observed. In the morning there was a large meeting at which the speeches were directed against the Rowlatt Bill.

Abohar and Gidarbaha.—*Hartal* observed, and a public meeting was held at Abohar.

Gujranwala District.

Akalgarh.—Members of the Diwan family, descendants of the Multan rebel Diwan Mulraj, with other Hindus went round the bazaars inducing shop-keepers to close their shops. In the evening a meeting was held but speeches were moderate.

Gujranwala.—Complete *hartal* observed with meetings at which misrepresentation of the Rowlatt Act was industriously carried on.

Hafizabad.—A partial *hartal* observed and in the evening meeting held, at which speeches against the Rowlatt Act were delivered.

Ramnagar.—*Hartal* observed.

Sheikhupura.—*Hartal* and a protest meeting of Hindus and Muhammadans.

Wazirabad.—Efforts of Hindus to force a *hartal* frustrated by prominent Muhammadans.

Gurdaspur District.

Batala, Dhariwal, Dinanagar, Gurdaspur, Pathankot and Sujanpur.—A complete *hartal* observed.

Aliwal, Kadian and Sohal.—A partial *hartal* observed.

Gurgaon District.

Ballabgarh.—Under pressure from Delhi a *hartal* was started, abandoned after about two hours.

Faridabad.—*Hartal* was observed for two days.

Palwal.—*Hartal* observed. Meeting was held and collection raised for defence of those who might be prosecuted in this connection.

Rewari.—*Hartal* observed. The people were restless and moved about in crowds. The station was visited and refreshment rooms forced to close.

Hissar District.

Bhiwani city.—Complete *hartal* and a mass meeting. Some persons went about in mourning garb, carrying black flags.

Hissar city.—Complete *hartal.* A meeting was held in the morning to protest against the Rowlatt Act. Another meeting was held in the evening to offer prayers for the withdrawal of the Act, and speeches were also delivered.

Hansi city.—Attempts made to promote a *hartal* but no results was reached.

Hoshiarpur District.

Hoshiarpur.—General *hartal* was observed but some shops continued to supply regular customers in an unobtrusive manner. In the afternoon a public meeting protesting against the Rowlatt Act was held, at which the attendance was fairly large, and speeches, misrepresenting the Rowlatt Act, were delivered. One speaker made inflammatory reference to the Delhi riot. The audience was quiet. *Hartal* was observed in most towns and larger villages near towns.

Jhang District.

Chiniot.—An abortive attempt at *hartal.*

Shorkot.—Another attempt at *hartal* stopped.

Jhelum District.

Jhelum city.—Complete *hartal,* and in the evening a protest meeting.

Jullundur District.

Jullundur City, Nawanshahr, Banga and Rahon.—*Hartal* observed. Mass meetings and speeches against the Rowlatt Act.

Karnal District.

Karnal.—*Hartal* observed.

Panipat.—Unsuccessful attempt to observe *hartal.*

Lahore District.

Lahore.—[Events described in this Report.]

Ludhiana District.

Ludhiana.—A general *hartal* and in the evening a meeting at the Budha Nala Ghat. *Hartal* also observed at Khanna and Sahnewal.

Lyallpur District.

Gojra.—A pleader from Lyallpur and some local Arya Samajists tried to organize a *hartal,* but failed.

Jaranwala.—Attempts were made to promote a *hartal* and subscriptions were collected for the families of the "Delhi martyrs."

Lyallpur city.—A general *hartal* was observed all day. The District Congress Committee held a public meeting in the evening at which resolutions against the Act were recorded. The behaviour of the crowds was orderly and there was little excitement, though there was much misrepresentation of the objects of the Rowlatt Act.

Tandlianwala.—A *hartal* was organized after the arrival of the morning train (8 A.M.) which lasted till sunset. This was instigated by local merchants (mainly Arya Samajists) who had arrived from Lahore.

Toba Tek Singh.—There was a public meeting and a very brief *hartal* at Toba Tek Singh organized by two local pleaders.

Montgomery District.

Chichawatni.—The ginning factory and one other factory stopped work.

Kamalia.—*Hartal* and a protest meeting.

Montgomery city.—A complete *hartal* observed.

Multan District.

Multan city.—A *hartal* was observed at the instance of the Hindu-Muhammadan *panchayat*. A large meeting was held outside Delhi Gate in the evening, at which speeches were directed against the Rowlatt Bill.

Muzaffargarh District.

Kot Adu.—In the morning a public meeting was held at which resolutions condemning the Rowlatt Act were passed. Hindus' shops were mostly closed, and fasting was also observed by some of the Hindus.

Muzaffargarh town.—The meeting convened by the Secretary of the local branch of the New Muslim League was held and attended by about 300 people. Speeches were delivered against the Rowlatt Act. A number of shops were closed, but there was no procession or other incident of importance.

Rawalpindi District.

Rawalpindi city.—A special meeting of the Khalsa Young Men's Association was held protesting against the Rowlatt Act.

Rohtak District.

Bahadurgarh.—Meeting in the evening with an address by Pandit Tota Ram of Aligarh.

Rohtak.—*Hartal* followed by a meeting in the evening. Opposition shown to making a bier and digging a grave for the Revd. Mr. Carylon who had died that morning.

Sonepat.—*Hartal* during the day, following by public meeting in city *Mandi*.

Sialkot District.

Sialkot city.—*Hartal*. Shops were closed, tongas stopped running and processions held but proceedings were orderly. A large mass meeting held in the evening.

Simla District.

Simla.—*Hartal* was observed and a meeting was held.

7th April 1919.

Amritsar District.

Amritsar.—Private meeting held to consider the continuation of the agitation.

Hissar District.

Bhiwani city.—A Vaish *Sabha* meeting held, where in addition to other objects, Hindu-Muhammadan unity was preached and feelings against the Rowlatt Act were expressed.

Montgomery District.

Satghara.—*Hartal* observed.

Multan District.

Multan.—The general *hartal* which had begun on the 6th was continued.

8th April 1919.

Hissar District.

Bhiwani city.—A Hindu-Muhammadan unity meeting was held.

Sirsa.—Hindu-Muhammadan meeting to protest against the Rowlatt Act.

Jhang District.

Chiniot.—An endeavour to arrange another *hartal* failed.

Multan District.

Multan city.—The general *hartal*, which had begun on the 6th, was continued. A meeting was formed to arrange for the settlement of all cases by *panchayat*.

9th April 1919.

Amritsar District.

Amritsar.—The Hindu festival of *Ram Naumi* was celebrated by Hindus and Muhammadans alike. During the procession, instead of cries giving honour to the Hindu deities, the political shouts of "*Hindu-Mussalman ki jai*" and "*Mahatma Gandhi ki jai*" were raised, but little evidence of active feeling against Government discernible, though a party of Muhammadans, dressed to represent the Turkish Army, made somewhat offensive demonstration. In the evening, orders were received from Government by the Deputy Commissioner for the deportation of Drs. Kitchlew and Satyapal.

Gurdaspur District.

Batala.—Fraternization between Hindus and Muhammadans during celebration of the Hindu festival of *Ram Naumi*. There was much shouting for Gandhi, and in some instances the words *Allah*, *Ram* and *Om* were impressed on the clothes of the crowd to betoken union.

Karnal District.

Panipat.—Celebration of the *Rath Jatra*, at which Hindus and Muhammadans fraternized, and organized demonstration in honour of Gandhi.

Lahore District.

Lahore.—The *Ram Naumi* procession was utilized by the popular leaders for the display of seditious sentiments and fraternization between Hindus and Muhammadans. Lala Duni Chand led it on horseback.

Gurgaon District.

Palwal.—Mr. Gandhi prevented from entering the Punjab and served with an order to reside within the Bombay Presidency.

10th April 1919.

Amritsar District.

Amritsar.—[Outbreak described in this Report.]

Bhaglanwala railway station on the Tarn Taran line was burnt and looted and telegraph broken. An attempt was made on the main line towards Lahore but was defeated by fire from the railway police guard on the Calcutta mail.

Chheharta railway station.—Night attack by a mob of villagers who broke the windows of the station and then proceeded to loot a goods train that was standing in the yard.

Gurgaon District.

Gurgaon.—Partial *hartal* held. At night a large meeting was held at which it was decided to hold *hartal* on the next day and on the last Saturday of every month till the Rowlatt Act was cancelled, but this latter suggestion was not carried out.

Palwal.—*Hartal* renewed.

Hissar District.

Bhiwani city.—An unsuccessful attempt was made to hold another *hartal.*

Jullundur District.

Jullundur.—News regarding the Amritsar disturbances arrived in the evening and caused some excitement.

Lahore District.

Lahore.—[Outbreak as described in this Report.]

Ludhiana District.

Ludhiana.—A meeting was held at the Qaisarganj market for the purposes of furthering Hindu-Muhammadan unity, of considering the construction of a National Hall in Ludhiana, and of inviting the provincial conference to Ludhiana in 1920.

Sialkot District.

Sialkot.—Abdul Hai, a Lahore agitator, addressed a meeting.

11th April 1919.

Ambala District.

Ambala.—Another *hartal* attempted but without success. A meeting was held in the evening.

Amritsar District.

Amritsar.—Reinforcements arrived from Jullundur. Burial of rioters killed on 10th, took place with a large procession. Troops marched through the city.

Gujranwala District.

Chuharkana.—Protest meeting in *Mandi* mosque attended by Hindus and Mussalmans. *Hartal* urged.

Sangla.—Meeting held, deciding upon *hartal* for the next day.

Gurdaspur District.

Gurdaspur.—The Deputy Commissioner assembled all available members of the local Bar in his court in the forenoon, and asked them in view of the seriousness of the situation, to come out unmistakeably on the side of law and order. The response was half-hearted and in one instance churlish. In the evening there was a joint Hindu-Muslim meeting at the Araianwali mosque.

Gurgaon District.

Gurgaon.—*Hartal* continued. Hindu-Muhammadan meeting in the Araianwal mosque.

Hasanpur.—*Hartal* for one day was observed.

Hodal.—Surendra Nath Sharma, a Delhi emissary, got up a meeting which was primarily responsible for a *hartal* being observed for one day.

Palwal.—*Hartal* continued.

Hissar District.

Bhiwani city.—A *hartal* for the 13th was proposed, and a trader went about with a black flag to announce it but without success.

Jullundur District.

Jullundur.—News regarding Mr. Gandhi's arrest arrived early and *hartal* was observed in the city. Troops were despatched to the railway station and the civil lines to prevent an outbreak of disorder.

Karnal District.

Panipat.—Observance of a complete *hartal* in connection with the arrest of Mr. Gandhi. Seditious speeches were delivered by a Delhi agitator, Bhagwanji, for whose arrest a warrant under the Defence of India Act was subsequently issued.

Lahore District.

Kasur.—*Hartal* observed. A crowd led by Nadir Ali Shah went round the city forcibly closing shops and business places. The crowd then gathered at the *Hari Har Mandar* where several persons addressed it. On the whole the speeches were moderate, though one leader made a violent speech against the Rowlatt Act.

Lahore.—[Events described in this Report.]

Lyallpur District.

News arrived at Lyallpur of the Amritsar and Lahore riots and the turning back of Mr. Gandhi from the Punjab; this caused general excitement, but the action taken prevented demonstrations.

Multan District.

Multan.—News regarding the disturbances at Amritsar reached the city early in the morning and at about 9 A.M. shops began to close. The Deputy Commissioner called up the promoters of the *hartal* and again warned them of the consequences of disorder. The Superintendent of Police issued an order under section 30 (2) of the Police Act, forbidding processions and meetings in the city, while military and police forces were kept in readiness.

Rawalpindi District.

Rawalpindi city.—A meeting was held to express sympathy with those killed at Delhi.

Rohtak District.

Bahadurgarh and Jhajjar.—*Hartal* held.

Rohtak.—Mass meeting at which sale of proscribed literature was advocated. Formation of a joint Hindu-Muhammadan committee. A few of the local pleaders made inflammatory speeches.

Sialkot District.

Pasrur.—Secret meeting in the house of a Barrister-at-Law.

12th April 1919.

Amritsar District.

Amritsar.—A threatened disturbance averted by display of military force. A number of important arrests made.

Chheharta.—Telegraph wires cut between this and Amritsar.

Tarn Taran.—A small force with armoured train arrived as trouble was threatened, but owing to a misunderstanding this force did not remain. After their departure some villagers collected to loot the *Tahsil* but were dispersed by Inspector Aziz-ud-din and a few others. A permanent force arrived early the next morning.

Asiapur.—Mission buildings threatened. Flying columns sent out.

Khasa and Gurusar.—Telegraph wires cut between these places.

Khasa and Chheharta.—Telegraph wires cut between these places.

Ambala District.

Ambala city.—Mass meeting to protest against deportation of Mr. Gandhi.

Ferozepore District.

Ferozepore.—Troops were despatched to Kasur, and police and military precautions were taken in the event of trouble spreading to Ferozepore

Gurdaspur District.

Batala.—Another *hartal* observed. While the local agitators were being warned the mob which followed, threatened to cause riot if the leaders were arrested.

Gurdaspur.—Another *hartal* observed. As situation appeared grave, a small force of one officer and 50 men arrived from Pathankot to support local police in case of necessity. At night meeting of Hindus and Muhammadans held in the *Jama Masjid*, when some dangerous language was used, it is stated that a suggestion was made to raid the civil lines.

Gujranwala District.

Chuharkhana.—*Hartal* and protest meeting.

Sangla.—*Hartal* observed. Mourning bathing ceremony performed in canal followed by procession with black flag and effigy of Rowlatt Bill.

Hafizabad.—Another meeting held to organize *hartal* for the 14th.

Wazirabad.—At a secret meeting held in the house of a municipal commissioner a *hartal* on the 13th was decided on, but it was postponed to 15th on account of the *Baisakhi* fair.

Gurgaon District.

Palwal.—*Hartal* continued.

Hissar District.

Hissar city.—A telegram purporting to be from Delhi was received at the Canal Telegraph Office urging "All Indian brothers" to strike.

A North-Western Railway guard refused to start for Jakhal.

Sirsa.—*Hartal* and a protest meeting against the arrest of Mr. Gandhi in the *Jama Masjid.* Hindu speakers were admitted.

Hartal was observed in most towns and larger villages near towns.

Jullundur District.

Nurmahal.—*Hartal* observed. Telegraph wires cut between Nurmahal and Nakodar and insulators broken.

Karnal District.

Karnal.—General railway, post and telegraph strike threatened.

Shahabad.—Meeting held to arrange for observance of *hartal* the next day In the evening Hindus and Sikhs congregated in the *imambara* and fraternized with Muhammadans.

Lahore District.

Kasur.—[Outbreak described in this Report.]

Khem Karan railway station.—Damage done by about 20 men, mainly sweepers from Pattu village, who were driven off by some local *zamindars.*

Lahore.—(Military in the city as described in this Report.)

Patti.—Rioting from about 8 to 11 P.M., some damage done to the station. Telegraph wires cut.

Jallo and Harbanspura.—Telegraph posts broken and all wires cut for two miles.

Hoshiarpur District.

Hoshiarpur.—Meeting to protest against deportation of Mr. Gandhi.

Mukerian.—*Hartal* here and at other places in the district.

Ludhiana District.

Ludhiana.—A meeting was held at the Qaisarganj market to protest against the arrest of Mr. Gandhi.

Lyallpur District.

Lyallpur city reported to be very restless, and the district congress committee active with protest propaganda. *Hartal* decided for 13th.

Multan District.

Multan.—In the morning the Commissioner assembled at his house a meeting of military and civil officers, *raises* and pleaders to whom he explained the Rowlatt Act and called on them to allay excitement and prevent disorder. Several pleaders undertook to endeavour to dissuade the people from violence or unconstitutional action, and were accordingly permitted to hold a public meeting that afternoon in the city. The *hartal* still continued. In the afternoon a disorderly procession of about 500 people proceeded to march through the city but was persuaded to join the permitted meeting. This was orderly, the speakers, while sympathising with opposition to the Rowlatt Bill and expressing admiration of Gandhi, urged abstinence from disorder or sedition. Strike threatened on railway.

Muzaffargarh District.

Muzaffargarh.—Posters calling for *hartal* were posted in the city.

Rawalpindi District.

Rawalpindi city.—Railway workshop employees threatened to go on strike, but action seems to have been due only to the non-receipt of their pay.

Rohtak District.

Beri.—*Hartals* held, said to be after pressure from Delhi.

Simla District.

Simla.—A meeting was held to protest against the order detaining Mr. Gandhi.

13th April 1919.

Ambala District.

Ambala cantonment.—Complete *hartal* in the Sadar Bazar, said to be due to commercial pressure from Delhi and Lahore. In the afternoon a large public meeting in the Sadar Bazar at which one or two very objectionable resolutions were passed.

Barara station.—All telegraph wires cut near this station.—(North-Western Railway.)

Amritsar District.

Amritsar.—[Military at Jallianwala Bagh as described in this Report.]

Seditious Meetings Act applied to district. Notices issued by General Commanding, Amritsar, prohibiting egress from the city and forbidding residents to leave their houses at night.

Gujranwala District.

Chuharkhana.—Lectures given at the *Baisakhi* fair incited people to damage railway line.

Gujranwala.—A meeting of the local leaders, at which it is alleged that a defin it decision was arrived at to repeat the incidents of Lahore and Amritsar.

Gurdaspur District.

Pathankot.—Hartal.

Telegraph wires cut between Batala and China and Jaintipura and between Gurdaspur and Dhariwal.

Gurgaon District.

Firozpur, Nagina and Nuh.—Hartal observed under outside pressure.

Palwal.—Hartal discontinued during the day.

Taoru.—Hartal observed under pressure from Gurgaon. A local agitator gave lectures directed against the Rowlatt Act.

Hansi.—A meeting took place at which Mr. Gandhi's message was read and *hartal* was proposed, but no action followed.

Hissar District.

Hissar.—Hartal again observed, but it broke down towards evening. A mass meeting was held in the evening in the *Idgah*, which was moderate in tone and helped to quiet the situation. At this meeting the President of the local Arya Samaj was called to the pulpit.

Sirsa.—The "*Hindustani Ittihadi Sabha*" was formed.

Tohana.—A meeting held in the *Dharmsala* in the evening. *Hartal* proposed and a lecture given on Hindu-Moslem unity.

Bhiwani.—Hartal announced, but fell through.

Jullundur District.

Jullundur cantonments.—Fire in a military office.

Jhang District.

Jhang-Maghiana.—Loyal meeting of Muhammadans.

Kangra District.

Kangra.—A circular letter was issued to all important persons in the district directing them to take action to preserve the peace if necessary and to contradict false rumours. Loyal replies were received from all.

Karnal District.

Panipat.—Hindus and Muhammadans fraternized again and proposed to settle Hindu-Muhammadan affairs by a "Communal law." They levied a contribution on a shopkeeper who had not observed the *hartal*.

Shahabad.—A complete *hartal* was observed.

Lahore District.

Lahore.—Hartal continued. Another meeting of the leaders was called by the authorities. The Seditious Meetings Act was proclaimed in the district, and assem-

blies of more than ten persons were prohibited. Wholesale and retail liquor shops were closed. An attempt was made by the crowd to get the railway guards to strike. Organization of village patrols on railways and night patrols in the civil station begun by the authorities.

Khem Karan railway station.—Telegraph insulators stolen.

Kasur and Khem Karan.—Wires cut between these places.

Khem Karan and Ghariala.—Wires cut between these places.

Manihala.—Meeting held at *Baisakhi* fair and people urged to help Amritsar.

Wagah railway station.—Station sacked and burnt mostly by people from Manihala and Narwar where seditious meetings had been held; an armoured train was derailed. Wires were cut and the line breached in several places.

Lyallpur District.

Jaranwala.—A petition-writer returned to Jaranwala from Delhi and tried to organise a coercive *hartal* on the next day. His propaganda was strongly *anti*-British in form.

Lyallpur.—A general *hartal* was observed, accompanied by open fraternization of Hindus and Muhammadans. Attempts to hold public meetings were frustrated by the authorities, but towards the evening crowds in the bazar became unruly and some coercion was applied by them to shops which attempted to open. Some small riots occurred. Posters and notices advocating continued strike and expressing hatred of British and Government appeared; some of them appear to have been due to students arriving from the Lahore colleges. Towards night the crowds became distinctly hostile and were with difficulty prevented from becoming an angry mob.

Multan District.

Multan city.—The *hartal* begun on the 11th continued till the evening. A meeting was held outside the city at Bawa Safra at which speeches against the Rowlatt Act were delivered. Shops were partially opened for the *Baisakhi* fair.

14th April 1919.

Ambala District.

Manimajra.—*Hartal*, organized mainly by Arya Samajists, had partial success. Demonstration against the Rowlatt Act collapsed at the last moment.

Amritsar District.

An attack by the villagers of Ballarwal on the neighbouring village of Makhowal was dispersed.

Jagdeo Khurd.—A body of some 20 men attacked and wounded several shopkeepers but were beaten off by the villagers.

Tarn Taran.—A sympathetic *hartal*, but arrival of British troops averted possible danger. Telegraph wires cut between this and Jandoke and Gholwar.

Mananwala.—Telegraph wires cut between this and Amritsar.

Patti and Karor.—Telegraph wire between these places cut.

Bhawalpur State.

Bahawalnagar.—Strike by railway officials: telegraph wires cut.

Gujranwala District.

Akalgarh.—Shops opened as usual but about 9 A.M., on news regarding the Kasur and other disturbances being received, the crowd formed a procession and enforced a *hartal*, threatening to burn factories of those who refused to join. The mob did no damage.

Chuharkana.—Demonstrations on the station platform on arrival of trains Telegraph wires cut.

Gujranwala.—[Outbreak as described in this Report.]

Hafizabad.—*Hartal*, as previously arranged. A crowd assembled outside the town and proceeded to the station where at the goods-shed speeches openly advising rebellion were made. A passenger train steamed into the station and Lieutenan Tatam with a small boy who was travelling in it, narrowly escaped being killed by the mob: but were saved by the plucky action of two or three Indian gentlemen.

Moman.—The station burnt and looted by mob of villagers.

Sangla.—The Calcutta mail stoned while leaving the station.

Sheikhupura.—*Hartal* again observed, shops being forcibly closed and *langar khanas* opened. Distant signal damaged, railway and postal telegraph wires cut.

Wazirabad.—News regarding the Gujranwala riots spread and local agitators exhorted people to observe *hartal*. In the afternoon a Hindu-Muhammadan meeting held at the *Jama Masjid* at which the President, a Hindu, and others denounced the Rowlatt Act and preached *hartal*. After dark groups marched through the streets singing inflammatory ballads.

Gujrat District.

Gujrat.—Two manuscript notices inciting to mutiny were posted up in the bazar. About 2 A.M. a band of *Baisakhi* revellers returned from Wazirabad shouting for Gandhi, Muhammad Ali, etc. *Hartal* was observed.

Jalalpur Jattan.—Meeting held to arrange *hartal* for the next day.

Gurdaspur District.

Aliwal and Kanjur.—Wires cut and 900 feet wire stolen between these places.

Dhariwal and Kanjur.—Telegraph wires cut and several hundred feet wire stolen between these places.

Gurdaspur.—Orders under the Punjab Patrol Act issued for the patrolling of railway lines in the district.

Pathankot.—An attempt made to damage the railway by firing permanent-way sleepers near the station.

Sohal.—Telegraph wires cut.

Gurgaon District.

Nuh.—*Hartal* continued but ceased the next day.

Karnal District.

Thanesar.—Efforts to form Hindu-Muhammadan *panchayat* to settle cases.

Hissar District.

Tohana.—*Hartal* in the town and *Mandi*. Strike at Jakhal and Tohana railway stations, said to be organized by emissaries from Delhi who came on *viâ* Rohtak.

Jhang District.

Jhang-Maghiana.—A Hindu-Muhammadan meeting convened to express loyalty was dissolved in disorder owing to the behaviour of a Vakil, supported by some Lahore students, who endeavoured to provoke the police.

Jhelum District.

Jhelum.—The Deputy Commissioner summoned the leading men in the morning at the Town Hall and explained the Rowlatt Act, requesting them to assist in averting *hartal*, and as the result of this, the second *hartal* decided upon the previous day, was abandoned.

An unsuccessful attempt to set fire to the railway station was made at night, apparently by some railway clerks.

Jullundur District.

Jullundur.—Committee of the Provincial Conference postponed their meeting because of the arrest in Lahore of their chairman (Lala Harkishan Lal) and other important delegates.

Lahore District.

Lahore.—Deportation of Pandit Ram Bhaj Datt, Lala Harkishan Lal and Lala Duni Chand. City quiet, though necessary precautions were taken. The persistent attempts to deter railway workshop employees from attending their work, were only frustrated by employing police with fixed bayonets to disperse crowds at the workmen's trains. The telegraph traffic with Amritsar was again interrupted.

Control of patrol and requisitioning of motor-cars for military purposes begun.

Kot Radha Kishan.—Stones thrown at the 17-Up Train.

Wagah and Attari.—Telegraph wires at these stations cut.

Ghariala and Patti.—Wires cut between these places.

Padhana.—An assembly met by beat of drum and there was a general feeling of unrest in villages along the Amritsar line.

Lyallpur District.

Gojra.—Efforts were made to start a *hartal.* Hindus met at the cremation grounds in the morning and joined hands with the Muhammadans at the *Idgah* afterwards. A Muhammadan was elected President of a Hindu meeting. The missionary of the Church Mission Society was forced to leave Gojra, after being warned that his house, the Church and other public buildings of the town were to be burnt.

Jaranwala.—A meeting was organized, followed by a coercive *hartal.* Disloyal propaganda of an *anti*-British type was used and a Muhammadan was asked to preside over a meeting in the *Thakardawara.*

Lyallpur.—The *hartal* begun on the day previous in the city continued. Members of the Bar and petition-writers sent on strike and did not attend the courts. More definite attempts were made to excite the agricultural classes and the posters took a more violent form; it was considered advisable to collect the Europeans at the Rallying Post, while some cavalry *sowars* arrived from neighbouring cavalry farms. Attempts to hold public meetings in the morning were frustrated, but in the afternoon a big public meeting was got up in the *Idgah,* at which the proceedings threatened to become violent, but the presence of the Deputy Commissioner with a few cavalry *sowars* had a beneficial effect. A committee was formed to decide whether the *hartal* should be continued or not, and during the day strenuous attempts were made to induce Government servants to go on strike.

Mianwali District.

Kundian.—Meeting of railway employees to arrange strike interrupted by weather.

Montgomery District.

Montgomery railway station.—Military guard posted as there was much talk of striking among the railway staff.

Okara.—An abortive attempt made to derail trains by placing a loose coupling on the line near this station.

Multan District.

Multan city.—While excitement in the city showed signs of abating, unrest among the railway staff made its appearance.

Samasatta.—In the forenoon the railway staff struck. Signals were damaged and telegraph wires were cut, but the loyal staff were able to communicate with Multan by telephone. Staff resumed work in the evening.

Rawalpindi District.

Rawalpindi city.—Seditious notices were found, calling on the people to rise during the night.

Rohtak District.

Bahadurgarh.—Attempt by a joint mob of rioters from the *Mandi* and railway staff to damage a railway bridge and wreck a mail train. The cry of the mob was "Break up the bridge; the rule of the English has disappeared."

Rohtak.—Offer of enrolment as special constables made by the Deputy Commissioner to members of the Hindu-Muhammadan Committee and refused by them.

Sialkot District.

Sialkot.—Meeting of agitators at Tollinton Park. Telegraph wires cut between Sialkot and Wazirabad. Railway strike threatened.

15th April 1919.

Amritsar District.

District proclaimed under section 15 of the Police Act.

Amritsar.—Martial law proclaimed.

Gujranwala District.

District proclaimed under section 15 of the Police Act.

Application of Seditious Meetings Act to district.

Akalgarh.—A meeting arranged to promote Hindu-Muhammadan unity fell through as leading Muhammadans refused to join. A mob cut all telegraph wires, smashed 75 insulators, broke signal lamps and attempted to burn a bridge.

Chuharkhana.—The American missionary's house and hospital burnt and looted. Telegraph wires cut; railway lines torn up and two canal bridges damaged by fire. Station burnt and looted; train damaged and looted, station staff assaulted at night; rioters from outlying villages proceeded to hold up train and loot *Mandi* but were dispersed by gunfire from armoured train.

Gujranwala.—Some 23 persons known to have been among the leaders, were arrested.

Hafizabad.—*Hartal* again observed. Mob prevented from damaging a culvert but it damaged the distant signal and cut all wires and smashed 140 insulators. Two men were arrested, and on these two being taken to the *Tahsil*, a mob collected and stoned the building, but dispersed on the police firing into the air.

Sangla.—All railway telegraph wires cut between Chichoke Mallian and Sangla Hill on the Lyallpur and Lahore line. Four hundred and fifty insulators broken and posts damaged. Station attacked by mob; all wires cut and insulators smashed.

Wazirabad.—[Outbreak as described in this Report.]

Mansurwali.—Telegraph wire cut and insulators smashed between this and Wazirabad.

Gurdaspur District.

Tibri.—Wires cut and 200 feet stolen near Tibri.

Gujrat District.

Gujrat.—*Hartal* observed again. A crowd, composed mostly of youths, collected at the Shishanwala Gate, with a black flag and a picture of Gandhi. Crowd forcibly closed the Mission High School, damaging some furniture and assaulting

the teachers. The *Zamindara* School and the Government High School closed before arrival of crowd. In the evening the crowd proceeded to the railway station and destroyed the telegraph and telephone instruments and furniture and burnt the records ; they were dispersed on being fired on by the police ; none were wounded but seven arrests were made on the spot.

Jalalpur Jattan.—An enforced *hartal* observed and crowds paraded town with usual shouts about Mr. Gandhi and the Rowlatt Bill. The telegraph wires were cut in two places in the evening.

Kunjah.—An attempt at *hartal* failed.

Malakwal.—A meeting held in the *dharamsala* at which an inflammatory lecture against the Rowlatt Bill was delivered. It was decided to observe *hartal* and hold another meeting the next day, also to start a railway strike. A crowd proceeding to the railway station to enforce a strike, was turned back by troops, and dispersed without casualties.

Rasul.—Engineering College students refused to attend lectures. A meeting of canal officials was held in the mosque, at which Hindus attended, and prayers were offered for repeal of Rowlatt Act and for unity.

Hissar District.

Dabwali.—*Hartal* in the *Mandi*. A meeting was also held and lectures and speeches delivered.

Hoshiarpur District.

Garhdiwala.—*Hartal* observed and meeting held.

Hoshiarpur.—A military detachment arrived from Jullundur.

Jullundur District.

Nakodar Shahkot and Mahtpur.—*Hartal* observed.

Dhudial and Chakwal.—Attempts to promote *hartal* broke down because Muhammadans refused to join.

Jhelum District.

Jhelum.—Seditious notices posted. Attempt to hold *hartal* failed.

District proclaimed under section 15 of the Police Act.

Lahore District.

Lahore.—*Hartal* continued save in the suburbs. Proclamation issued declaring martial law throughout the district. The first martial law regulations issued by Colonel Johnson, Commanding Lahore Civil Area. Curfew order enforced, and *langars* used for assisting the *hartal* were suppressed.

Kot Radha Kishan.—A train stoned.

Chhanga Manga.—Wires cut and timber obstructions placed on the railway line.

Banghali and Padri.—Two grass farm stacks burned.

Lyallpur District.

Dijkot.—*Hartal* began, and the *Zaildar* was flouted by the professional and trading classes when he tried to read out and explain the Rowlatt Act.

Lyallpur.—*Hartal* continued at Lyallpur but a few shops opened in the evening. A fresh crop of seditious poster were observed.

Gojra.—A coercive *hartal* began, accompanied by *anti*-British demonstrations. The crowd visited the railway station, where the refreshment vendor was mobbed, and forced to stop work. Some of the crowd climbed up into the engine of the Khanewal train and endeavoured to persuade the engine-driver not to take on the train. There was a funeral procession of the Rowlatt Act in the *Mandi* accompanied by a black flag.

Sangla and Salarwala.—Wires cut and pulled down between

Toba Tek Singh.—Threatened *hartal* did not materialise.

Mianwali District.

Kundian.—An incomplete strike among the railway station staff, who cut the telegraph wires in the evening and prevented any train or engine leaving.

Montgomery District.

Village patrols introduced for protection of railway lines in the district.

Multan District.

The Railway Defence Scheme was brought into operation and troops posted at the main railway stations, Multan, Multan City, Lodhran, Samasatta, Sher Shah and Khanewal.

Khanewal.—The railway staff struck in the forenoon but resumed work in the evening before troops arrived.

Samasatta.—Staff refused invitation from Khanewal to resume strike.

Arrangements for protection of railway lines by village guards were introduced.

Rawalpindi District.

Telegraphic wires cut between Rawalpindi and Murree.

Rohtak District.

Rohtak and Samargopalpur.—Canal and postal wires cut between these places.

Ganaur.—Meeting of butchers, held under threat of injury from Hindus to stop cowkilling.

Gohana.—Postal telegraph wires and post damaged.

Rohtak.—Seditious notice found posted on Delhi Gate. Railway telegraph wires cut at mile 357. Arrival of troops.

Sonepat.—Mass meeting held at *Imambara*.

Sialkot District.

Begowala Ghartal.—Telegraph wires cut in two places.

Sialkot.—An attempt was made to set fire to a railway carriage standing in the siding. This was done under the leadership of a local bad character, since arrested.

Amritsar District.

Jandiala and Butari.—Telegraph wires cut between these places.

Sangrana and Bhagtanwala.—Telegraph insulators broken.

Shahpur District.

Malakwal, Pokhowal and Mithalak.—Partial strike of North-Western Railway signallers and great excitement at stations.

Bhulwal.—Attempt to hold unity meeting fell through.

16th April 1919.

Ferozepore District.

Harbhagwan Memorial Arya High School.—A number of students went out on strike.

Gujranwala District.

Aulakh.—The patwari's records burnt by two *lambardars* and some local *zamindars*.

Dhaban Singh railway station.—Early in the morning, the station attacked by a mob which burned the office and looted the safes, after having, during the night previous, burned a railway bridge, damaged the permanent-way, and cut the telegraph wires in several places.

Gujranwala.—Martial law proclaimed over the district and Seditious Meetings Act applied.

Hafizabad.—Shops opened as usual and no further disturbance occurred.

Machhike and Muridke.—Wire cut.

Maman.—Railway station looted and burnt and all telegraph wires cut.

Sangla.—A military deserter rescued from custody and the military escort assaulted. Murderous attack by Harnam Singh on Mr. Wale, Telegraph Inspector. At night the Baroha villagers cut the telegraph wire on the Lahore line.

Wazirabad.—Arrests of certain leaders were effected.

Gujrat District.

Gujrat.—Shops opened. Public meetings and processions prohibited under the Police Act.

Jalalpur Jattan.—*Hartal* continued. While members of the municipal committee and other leading men were discussing measures to stop trouble, the crowd insisted on them joining in the mourning and slightly damaged the furniture of the Municipal Hall where the discussion was held. Crowd then proceeded to damage Mission School and made some police constables remove their *pagris*.

Malakwal.—Meeting at the mosque attended by Hindus. At night the telegraph wires were cut, the distant signal lamps were removed. Rails were removed which caused the derailment of a train the next morning, resulting in the loss of two lives.

Gurdaspur District.

Pathankot.—A lighted torch was thrown at an English lady riding in a motor car.

Jhang District.

Jhang Maghiana.—The railway telegraph communication between Jhang and Subhaga temporarily interrupted but wires were not cut.

Jhelum District.

Kala.—A passenger train derailed near this station as the result of the removal of a rail by some railway men whose apparent intention was to wreck a troop train expected from Rawalpindi.

Chakwal.—Meeting took place to arrange *hartal* and protest meeting.

Jullundur District.

Jullundur.—A number of wires cut and insulators broken just outside cantonments.

Nakodar and Jhahalki.—Between these places wire cut in two places.

Seditious Meetings Act extended to Jullundur.

Lahore District.

Kasur.—Martial law proclaimed, a *darbar* being held for the purpose. Twenty-two arrests made during the day and *langars* were closed by order.

Kot Radha Kishan.—A train was stoned, and several people including a European lady injured.

Patti.—Gatekeeper's hut broken open.

Barki thana villages.—Flying column from Lahore visited these villages taking prisoners in four of them.

Valtoha and Ghariala.—Wires between cut.

Chhanga Manga and Pattoki.—Telegraph wires interrupted for one mile between these places.

Premnagar.—Wires cut.

Lahore.—Third and intermediate class bookings stopped. Registration begun of agents, touts, etc., of pleaders, who were forbidden to leave Lahore without permit. Roll-calls of D.A.-V. College were begun four times a day at the Bradlaugh Hall. Owners of property made responsible for the preservation of notices posted thereon. Carrying of *lathis* in Lahore Civil Area forbidden.

Bahawalpur State.

Bahawalnagar.—The disaffected railway strikers were turned out of railway precincts by military and traffic was resumed.

Lyallpur District.

Gojra.—The *hartal* was resumed and disloyal demonstrations repeated after which the shops were opened.

Lyallpur district.—Disaffection began to spread to villages. The canal telegraph wire was cut in *Mauza* 253-R. B., nine miles from Lyallpur. There was a seditious meeting in *Mauza* Khiala Kalan, some nine miles from Lyallpur.

Lyallpur.—Some troops arrived at Lyallpur but a portion of them had to be sent off at once to save Sangla station from the mob which burnt Chuharkhana, Moman and Dhaban Singhwala stations the night before. The news of the outrages on the Sangla-Shahdara line caused considerable excitement. The *hartal* was temporarily suspended at Lyallpur, but there was a new crop of seditious notices.

Ludhiana District.

Ludhiana.—Another *hartal*, though not complete as most of the shops in Wakefield Ganj, a new quarter of the town, remained open. The meeting held at the Budha Nala Ghat passed resolutions protesting against the exclusion of Mr. Gandhi from the Punjab.

Mianwali District.

Kundian.—Railway station staff strike ended on arrival of a small detachment of troops.

Rawalpindi District.

Rawalpindi city.—Seditious pamphlets posted.

Sialkot District.

Sialkot.—Secret meeting held at the house of a pleader. Anonymous notices inciting to violence and extolling the Gujranwala rioters, were posted up. Two fish-plates removed from a railway line.

17th April 1919.

Ferozepore District.

District proclaimed under section 15, Police Act.

Ferozepore.—Some seditious posters were found posted in the city and being circulated in the neighbourhood.

Gujrat District.

District proclaimed under section 15 of the Police Act.

Jalalpur Jattan.—Shops began to reopen.

Gujranwala District.

Malakwal.—Troops arrived.

Gujranwala.—Seditious Meetings Act proclaimed.

Gurdaspur District.

District proclaimed under section 15 of Police Act.

Gurdaspur.—Telegraph wire between Chhina and Dhariwal cut; canal telegraph wire between Kalar Kalan and Konjur cut; 1,200 feet of wire removed. Canal wire at Gharjikot cut, 200 feet of wire removed.

Gurgaon District.

Gurgaon.—District proclaimed under section 15, Police Act.

Jhelum District.

District proclaimed under section 15 of the Police Act.

Chakwal.—Proposed *hartal* and protest meeting abandoned owing to intervention of the authorities.

Jullundur District.

Bir Pind and Litran near Nakodar.—Telegraph wires cut at these two places.

Jullundur.—District declared under section 15 of the Police Act. Village guards posted on railway lines and *Zaildars* and other leading men made special constables for patrolling.

Lahore District.

Jallo and Harbanspura.—An attempt made to derail trains between these two stations.

Chhanga Manga and Pattoki.—Railway telegraph wire cut.

Ghariala and Patti.—Wires cut.

Kasur.—Arrests continued.

Lahore.—Martial law orders issued for shops to open but they had begun to open before the orders were distributed. Unrest began to subside. Badshahi mosque closed to public.

Multan District.

Multan city.—Subscriptions being collected to finance agitation. District declared under Seditious Meetings Act.

Lyallpur District.

Lyallpur city.—Seditious Meetings Act proclaimed. More troops arrived in Lyallpur. The *hartal* was resumed in the city. A stack of 24,000 maunds *bhusa* belonging to Government worth Rs. 50,000 was burnt.

Lyallpur district.—A seditious meeting was held in Khiala Kalan to which emissaries from neighbouring villages colonized by Manjha Jat Sikhs from Amritsar were called. The meeting was also attended by representatives from Lyallpur city. Plans for looting and burning of Government buildings, etc., at Lyallpur were discussed.

Gatti.—A party from Lyallpur proceeded to Jhumra and though they failed to gain adherents in the town, they returned to Lyallpur by road, breaking telegraph insulators and cutting telegraph wires near Gatti *en route*.

Abbaspur.—Telegraph wires cut and posts uprooted near Abbaspur station.

Mianwali District.

Daud Khel railway station.—Telegraph wires cut on the line towards Massan. A strike-leader arrested.

Ludhiana District.

Ludhiana.—District proclaimed under section 15, Police Act.

Samrala.—*Hartal* observed.

Rawalpindi District.

Rawalpindi.—District proclaimed under section 15 of Police Act, 1861.

Gujar Khan.—Telegraphic lines interrupted.

Rohtak District.

Rohtak.—District proclaimed under section 15, Police Act. Leaders of Hindu-Muhammadan Committee warned by Deputy Commissioner.

Shahpur District.

Bhera.—Attempts made by students to hold unity meeting in mosque. Prominent Muhammadans refused to allow it.

Sialkot District.

District proclaimed under section 15 of the Police Act.

Sialkot.—A feeble and abortive attempt to fire the city post office was made by some bad characters and boys.

18th April 1919.

Ferozepore District.

(Mr. Gandhi advises the suspension of civil disobedience.)

An iron gradient post was placed on the line between Makhu and Butewala railway stations.

Gujranwala District.

Aulakh.—The Assistant Superintendent of Police with a party of British soldiers and police arrested all those concerned in the burning of the patwari's records two days previously.

Gurdaspur District.

Chuhan.—Canal wire cut.

Chhina and Dhariwal.—Wires cut between these places.

Hoshiarpur District.

Una.—An unsuccessful attempt was made to hold *hartal.*

Jullundur District.

Husainabad (near Nakodar).—Wire cut.

Sidhwan flag station (near Nakodar).—Burned down, but doubtful if this was due to outside agency.

Karnal District.

Panipat.—Considerable excitement prevailed owing to Delhi intrigues.

Fatehpur (near Pundri).—A meeting was held at which a speaker addressed the people advising them to follow Mr. Gandhi's footsteps.

Kaithal.—Observance of *hartal,* during which a mob of about 100, mostly Hindu and Muhammadan boys, visited the railway station, and after failing to induce the staff to strike, smashed a few lamps and window panes.

Karnal.—A body of cavalry arrived from Meerut followed the next day by a detachment of infantry. The cavalry after marching through Kaithal and Panipat returned to Ambala.

Ladwa.—Visited by an unknown Muhammadan, bare-footed and bare-headed who convened a meeting of Hindus and Muhammadans, whom he informed that the people of Delhi had given up cow-killing and urged to follow Delhi's example and promote Hindu-Moslem unity. He also told his audience that the Delhi people had vowed to remain bare-headed and bare-footed till Mr. Gandhi was set at liberty.

Pundri.—An unsuccessful attempt at *hartal.*

Lahore District.

Lahore city.—Majority of shops opened by martial law order. Students of Sanatan Dharm College arrested for tearing down martial law notices. Martial law tribunals appointed.

Lyallpur District.

Lyallpur.—On the receipt of report of danger at Moman Kanjan station it was visited by an armoured train. The *hartal* finally collapsed at Lyallpur. A gang of villagers from *Chak* 150, Gugera Branch, a village colonized by Manjha Jat Sikh colonists, came out at night and tried to wreck the line between Toba Tek Singh and Janiwala, overturning telegraph poles and cutting wires. Most of these were traced by the police next morning, and induced to surrender.

Gatti and Chak Jhumra.—Insulator broken.

Multan District.

Multan.—The application of the Seditious Meetings Act to the district was proclaimed.

Rohtak District.

Sonepat.—Mass meeting fixed for this date was abandoned owing to the action taken to warn leaders.

Patiala State.

Ronau.—Wires cut between this and Shahgarh.

Shahpur District.

Sargodha —A fire, which did some damage, occurred on the railway platform but was probably not due to incendiarism.

Sialkot District.

Begowala.—Telegraph wires cut.

19th April 1919

Ambala District.

Ambala cantonments.—Store burnt in the regimental lines depôt, 1-34th Sikh Pioneers.

Gujranwala District.

Muridke.—Wire cut.

Gujrat District.

Gujrat.—Martial law proclaimed in the district.

Gurdaspur District.

Dalhousie road.—Thirteen miles from Pathankot wires cut and post broke

Hoshiarpur District.

Hoshiarpur.—Meeting held to promote Hindu-Muhammadan unity.

Lahore District.

Kasur.—Forty more arrests made.

Valtoha and Manihala.—Canal wire cut and 300 feet wire stolen between.

Lyallpur District.

Lyallpur.—The moveable column arrived in Lyallpur.

Janiwala and Toba Tek Singh.—All wires cut at three separate spots between these places; insulator broken; posts uprooted.

Rawalpindi District.

Rawalpindi cantonments.—Notices posted and fire occurred in goods-shed, but origin of this doubtful.

Shahpur District.

Sargodha.—A fire at railway station, origin doubtful.

Sialkot District.

Sialkot.—Wires cut between Sialkot and Wazirabad.

20th April 1919.

Gurgaon District.

Biwan.—Visited by Surendra Nath, from Delhi, subsequently convicted under the Defence of India Act.

Kangra District.

Chakki bridge.—Telegraph wires cut on the Pathankot-Nurpur road.

Lahore District.

Lahore.—Several prominent rioters were arrested and martial law orders for surrender of arms issued.

Kasur.—Arrests continued.

Lyallpur District.

Lyallpur.—Punitive measures and arrests were begun by the Deputy Commissioner with the help of the moveable column, and the situation began to improve rapidly.

Shahpur District.

Sargodha.—Seditious notices posted in bazars and anonymous letters were received threatening loyal Indians.

Rohtak District.

Rohtak.—Canal wire cut near Jat High School.

21st April 1919.

Gurdaspur District.

District proclaimed under section 15 of the Police Act.

Gurdaspur.—General Officer Commanding, Amritsar, and his moveable column arrived in the forenoon and in the afternoon General Dyer addressed a meeting of pleaders and local notables in the Town Hall.

Sujanpur and Madhopur.—Wires cut and insulators broken between these places.

Hissar District.

Sirsa.—Two inflammatory manuscript notices were discovered posted at Sirsa. They were possibly the work of an outsider.

Hoshiarpur District.

District proclaimed under section 15 of the Police Act.

Dasuya.—The railway telegraph wire was cut near this place (authorship untraced).

Jullundur District.

Phillaur.—A Bengali Sadhu was arrested preaching sedition.

Jullundur and Bilga.—Railway lines cut.

Karnal District.

Panipat.—Alleged pressure from Delhi on merchants to liquidate all debt in cash.

Lyallpur District.

District proclaimed under section 15 of the Police Act.

Lyallpur.—Deputy Commissioner with part of moveable column paid a disciplinary visit to Gojra and made arrests.

Seditious Meetings Act proclaimed.

The districts of Attock, Gurgaon, Jullundur, Karnal, Ludhiana, Mianwali, Montgomery, Multan, Rawalpindi, Rohtak and Shahpur proclaimed under section 15 of the Police Act.

22nd April 1919.

Ambala District.

Ambala cantonment.—Office of depôt 1-34th Sikh Pioneers burnt.

Attock District.

Campbellpur.—Seditious handbills posted up.

Gurdaspur District.

Batala.—Visited by the moveable column under General Dyer, who addressed two meetings (town and country separately).

Dhariwal.—Visited by the moveable column under General Dyer, who addressed a meeting of pleaders and local notables.

Hissar District.

Hissar.—A meeting of Muhammadans to denounce *Satyagraha.*

Jullundur District.

Shankar, Nakodar, Bilga, Jandiala, Bundala and Phillaur.—A small flying column visited these places.

Lyallpur District.

Lyallpur.—The moveable column moved through Lyallpur city. Ten arrests were made including that of a well-known agitator and three pleaders.

Rohtak District.

Rohtak, Sampla, Bahadurgarh, Sonepat and Ganaur—Were visited by aeroplane as a demonstration.

Patiala State.

Bhatinda.—Attempt to cut telegraph wire near Bhatinda.

Multan District.

Khanewal.—Telegraph line interrupted between Khanewal and Multan.

Simla District.

Simla city.—Reported efforts by people from Delhi to cause butcher strike.

23rd April 1919.

Lyallpur District.

Lyallpur.—Deputy Commissioner with part of the moveable column visited Khiala Kalan, where meetings had been held, and a conspiracy to loot Lyallpur treasury had been formed. Thirteen arrests were made in this and five other neighbouring Manjha Jat Sikh colonist villages.

Montgomery District.

Montgomery.—Assistant station master arrested for trying to persuade gangmen to damage line.

24th April 1919.

Hissar District.

Hissar.—A mass meeting of Muhammadans in the *Jama* mosque to affirm loyalty and to denounce *Satyagraha.*

Lyallpur District.

Lyallpur.—Martial law was proclaimed in the district at 10 A.M., a parade being held for this purpose at headquarters. Moveable column visited Jehangir, a village where canal telegraph wires had been cut, and made 5 arrests.

Rohtak District.

Rohtak.—Signs of resistance to regulations regarding patrolling shown by Arya villages.

25th April 1919.

Gurdaspur District.

Aliwal.—Canal wire cut, 900 feet of wire removed.

Hissar District.

Hissar.—A joint Hindu-Muhammadan manifesto issued, expressing loyalty and indignation at violence used by mobs elsewhere.

Kangra District.

Kangra.—Appearance of *anti*-kine killing snowball letters.

Lyallpur District.

Lyallpur.—Moveable column visited Toba Tek Singh and *Chak* 150, Gugera Branch. The missing members of a gang which had cut telegraph wires and tried to wreck the railway line between Janiwala and Toba Tek Singh were arrested.

26th April 1919.

Hissar District.

Hissar.—General meeting of rural notables of the Hissar district, presided over by the Deputy Commissioner, to consider measures to deal with the situation.

27th April 1919.

Hissar District.

Hansi.—A loyal Muhammadan meeting.

Sirsa.—Loyal Muhammadan meeting in the *Jama Masjid.* Manifestos issued and committees formed for oral propaganda work in the villages.

Lyallpur District.

Lyallpur.—Moveable column with Deputy Commissioner visited Sohal village and made some arrests.

Rohtak District.

Bahadurgarh.—Mass meeting fixed for this date abandoned owing to warning issued to leaders.

Karnal District.

Panipat.—Meeting to prevent disorder and mischief as result of Rowlatt Act agitation.

28th April 1919.

Gurgaon District.

Hodal.—A loyal meeting was held.

Multan District.

Multan cantonments.—Case of incendiarism in office of 2-72nd Punjabis (origin doubtful).

Rohtak District.

Rohtak.—Arrest under the Defence of India Rules of a Jat, a man of violent character and a likely leader of a Jat mob.

29th April 1919.

Hissar District.

Hansi.—Loyal Hindu-Muhammadan meeting, and also meeting of the local Hindu *Pattidars.*

Mangala.—Muhammadan meeting to refute false rumours and issue loyal manifesto.

Rawalpindi District.

Rawalpindi city.—Anonymous seditious poster placed on the gates of the municipal gardens.

Rawalpindi cantonments.—Anonymous seditious poster placed in the Gwal Mandi.

30th April 1919.

Gurgaon District.

Palwal.—A resolution of loyalty was passed by the municipality, many of whose members had taken part in *Satyagraha* meetings.

Hissar District.

Sirsa.—Hindus passed resolution of loyalty and issued manifesto.

Multan District.

Multan city.—The municipal committee waited on the Commissioner, and in the presence of civil and military officers, honorary magistrates and *raises*, expressed regret at the excitement which had prevailed, reported that there was no ground for apprehending further disturbance, and asked that the troops should be withdrawn from the Government High School, where they had been posted since the 11th. Troops were accordingly withdrawn from the city.

1st May 1919.

Lyallpur District.

Lyallpur.—Moveable column departed for the Gujranwala district.

Jhelum District.

Jhelum.—Seditious poster found.

2nd May 1919.

Bahawalpur State.

Telegraph wire cut between Minchinabad and MacLeodganj.

Gurdaspur District.

Gurdaspur.—Nine persons arrested under the Defence of India Act for attempting to create disaffection towards the Government.

3rd May 1919.

Hissar District.

Bhiwani.—Loyal manifesto issued by members of extreme party.

Multan District.

Multan.—Village guards (introduced to protect the railway permanent way) were discontinued.

4th May 1919.

Rawalpindi District.

Sihala.—Shot said to have been fired at a train; found to be a case of stone-throwing.

6th May 1919.

News published of outbreak of war with Afghanistan.

9th May 1919.

Attock District.

Campbellpur.—An attempt (origin unknown) was made to burn the local High School.

22nd May 1919.

Hoshiarpur District.

Pandori.—Ganda Singh, a revolutionary returned emigrant, arrested.

28th May 1919.

Martial law withdrawn from rural areas of Lahore, Amritsar, Gujranwala and from whole of Gujrat, excepting all railway lands.

9th June 1919.

Martial law withdrawn with effect from midnight from Lyallpur district, the remaining areas of Amritsar and Gujranwala and from Kasur municipality, excepting railway lands in each case.

11th June 1919.

Martial law withdrawn with effect from midnight from Lahore civil area and cantonments, excepting railway lands.

25th August 1919.

Martial law withdrawn with effect from this date from all railway lands in the districts of Lahore, Amritsar, Gujranwala, Lyallpur and Gujrat.

APPENDIX II.

List of Offences committed on the Railways in the Punjab between 10th April and 1st May 1919.

10th April 1919.

Mob at Amritsar station set fire to the goods sheds, smashed the cabin point level and killed Guard Robinson.

Mob looted and burnt Bhagtanwala station; property looted and burnt

12th April 1919.

Mob looted and burnt Kasur station, damaged wires, killed two Europeans, injured one European and made efforts to release a prisoner from police custody.

Patti station attacked; considerable damage done. Telegraph wire between Patti and Gharyala seriously damaged.

Telegraph wire cut between Nakodar and Nur Mahal.

Khem Karan station attacked by mob and Government property destroyed.

13th April 1919.

Rail and sleepers removed between Chheharta and Khasa. Engine and 8 vehicles of goods train derailed. Both lines blocked. Train looted.

Telegraph wires near Barara station cut.

Stone thrown at mail train at Kot Radha Kishen when going out from the platform; passenger slightly injured.

Wires cut and posts uprooted between Harbanspura and Jallo.

Goods train looted at Chheharta.

Mob set fire to canal bridge near Amritsar.

14th April 1919.

Gujranwala station attacked and burnt; wires cut; bridges burnt; railway officials attacked.

Wagah station burnt.

Rails at Parnala bridge between Bahadurgarh and Gheora dismantled.

Telegraph wires at mile 397-8 between Delhi, Kishengunj and Shakurpur cut.

Mob attacked Lieutenant Tatam in train at Hafizabad.

Attempt made to burn the ticket almirah at Jhelum station.

Armoured train derailed at Wagah.

Telegraph wires interrupted and whole railway staff struck work at Bahawalnagar.

Wires cut near Montgomery.

Railway employees stopped train by putting a trolley on the line at Bahawalnagar.

Wires cut near Chheru, near Jullundur.

15th April 1919.

Two loose shackles of carriage couplings placed on the line near Okara.

Wires between Chichoki Mallian and Qilla Sheikhupura cut and outer signal of Qilla Sheikhupura damaged.

Line between Bahalike and Chuharkana dismantled. Canal bridge burnt. At Chuharkana telegraph wires cut and station looted and burnt; parcels looted; carriage and engine damaged; station master injured.

Line damaged between Qilla Sheikhupura and Bahalike.

Wires between Jantipur, Batala, Chhina, Sohal, Dhariwal and Dinanagar cut.

Wires between Chhanga Manga and Pattoki cut and heavy pieces of wood placed on the line.

Three telegraph wires and one copper wire cut between Raewind and Kot Radha Kishen. Dacoits burnt and looted everything at Moman station. Telegraph instruments, signal and lamps burnt and broken.

Wires cut between Rohtak and Samargopalpur.

Rioters at Gujrat attacked station, cut wires and broke or burnt railway property.

Wires between Wazirabad and Akalgarh cut at various places.

Stones thrown at mail train near Kot Radha Kishen. Two shots fired from train.

Crowd put stones on line, broke glasses of signals and cut wires at Lyallpur.

Wires cut by rioters between Wazirabad and Sodhra. Distant signal thrown down. Bridge at Nizamabad burnt.

Crowd detraining from train at Sialkot raised cries of *Mahatma Gandhi-ki-jai* and burnt a 3rd class carriage.

Wires cut between Sadoke and Muridke.

16th April 1919.

Telegraph damaged between Barnala and Hadaya.

Shankar station robbed by thieves.

Four insulators broken at Jaitu.

Two joints of railway lines opened by rioters and wires cut at 15 places near Sialkot.

Dhaban Singh station looted and burnt.

Rail uprooted between Kala and Dina stations and engine and three carriages upset.

Wires cut at two places near Montgomery.

Wires cut near Tarn Taran.

17th April 1919.

Telegraph post between Lyallpur and Gatti cut.

All wires between Masan and Daud Khel cut.

Wire between Nakodar and Shankar cut.

Train wrecked between Harriah and Malakwal due to removal of rails with sleepers from track. One fireman and passenger killed. One Gurkha sepoy injured. Telegraph wires cut and communication interrupted between Harriah, Malakwal and Lala Musa.

Four stacks baled *bhusa* belonging to Military Grass Farm burnt at Lyallpur station.

About 15 men at railway station Chak Jhumra delivered seditious speeches.

Attempt made to cut wire between Katarsinghwala and Bhatinda.

18th April 1919.

Crowd broke street lamps and window glasses at and near Kaithal station.

Wire cut between Rouan and Shergarh.

Armed men plundered Sidhwan station near Jullundur.

Wire of outer signal at Bilga cut.

Man in possession of seditious literature arrested at Lala Musa station.

Telegraph post placed across the line and bolts removed near Ferozepur.

19th April 1919.

Wire cut by dacoits between Toba Tek Singh and Janiwala and communication interrupted.

A stack of reeds set fire to at Sargodha station.

21st April 1919.

Wire cut between Dasuya and Tanda Urmer near Jullundur.

1st May 1919.

Wire cut between MacLeodganj and Minchinabad near Multan.

APPENDIX III.

Statement of damage done to property in the Punjab.

Date.	Nature of damage.
	Amritsar District.
10th April 1919	Telephone exchange attacked and destroyed.
	Railway goods yard set on fire and telegraph wires cut.
	National Bank sacked and burnt.
	Alliance Bank attacked.
	Chartered Bank attacked.
	Religious Book Society's depôt and hall set on fire.
	Town Hall and sub-post office attached to it set on fire.
	Sub-post offices at the Golden Temple, Majith Mandi and Dhab Basti Ram looted.
	Telegraph and telephone wires throughout the city and suburbs cut to pieces.
	Bhagtanwala railway station on the Tarn Taran line burnt and looted and telegraph broken.
	Chheharta railway station attacked at night by a mob of villagers who broke the windows of the station and looted a goods train that was standing in the yard.
12th April 1919 . .	Telegraph wires cut between Chheharta and Amritsar.
	Telegraph wire cut between Khasa and Gurusar.
	Telegraph wires cut between Khasa and Chheharta.
13th April 1919 . .	Line cut between Chheharta and Khasa and a goods train derailed.
14th April 1919 . .	Telegraph wires cut between Tarn Taran and Jandoke and Gholwar.
	Telegraph wires cut between Mananwala and Amritsar.
	Telegraph wires cut between Patti and Karor.
15th April 1919 . .	Telegraph wires cut between Jandiala and Butari.
	Telegraph insulators broken between Sangrana and Bhagtanwala.
	Lahore District.
12th April 1919 . .	*Kasur.*—Considerable damage done to the railway station. Small oil-shed burnt. Signal and telegraph wires damaged, furniture smashed and property looted. Telegraph wires destroyed for half a mile and posts uprooted. Wheat Mandi post office looted and gutted. Main post office burnt. Munsiff's Court set on fire.
	Khem Karan railway station damaged.

Date.	Nature of damage.
12th April 1919—*contd.*	Damage done to railway station and telegraph wires cut at Patti.
	Telegraph posts broken and all wires cut for 2 miles near Jallo Harbanspura.
13th April 1919 . .	Telegraph insulators stolen at Khem Karan railway station.
	Wire cut between Kasur and Khem Karan.
	Wire cut between Khem Karan and Ghariala.
	Wagah railway station sacked and burnt and armoured train derailed; wires cut and line breached in several places.
	Telegraph wires cut at Wagah and Attari.
	Wires cut between Ghariala and Patti.
15th April 1919 . .	Wires cut and timber obstructions placed on railway line at Chhanga Manga.
	Two grass farm stacks burnt at Bhangali and Padri.
16th April 1919 . .	Gate-keeper's hut broken open at Patti.
	Wires cut between Valtoha and Ghariala.
	Wires cut at Premnagar.
17th April 1919 . .	Railway telegraph wires cut between Chhanga Manga and Pattoki.
	Wires cut between Ghariala and Patti.
19th April 1919 . .	Canal wire cut and 300 feet of wire stolen between Valtoha and Manihala.
	Gujranwala District.
14th April 1919 . .	Telegraph wires cut at Chuharkhana.
	Gujranwala.—Small railway bridge opposite Gurukul burnt. Telegraph wires cut for several miles on both sides of the station and 450 insulators smashed. Katchi bridge on Lahore side set on fire. Line on Lahore side destroyed. Water and fire pumps removed and telegraph and post office set on fire.
	Tahsil, dâk bungalow, *kacheri* and Church set on fire. Railway station and Casson Industrial School burnt. Railway goods shed burnt and property looted.
	Moman.—Station burnt and looted.
	Sheikhupura.—Distant signal damaged, railway and postal telegraph wires cut.
15th April 1919 . .	*Akalgarh.*—All telegraph wires cut. 75 insulators smashed and signal lamps broken.
	Chuharkhana.—An American missionary's house and hospital burnt and looted; telegraph wires cut; railway lines torn up and two canal bridges damaged by fire; station burnt and looted, train damaged and looted.
	Hafizabad.—Distant signals damaged. All wires cut and 140 insulators smashed.

Date.	Nature of damage.
15th April 1919—*contd.*	*Sangla.*—All telegraph wires cut between Chichoke Mallian and Sangla Hill on the Lyallpur and Lahore line. 450 insulators broken and posts damaged. All wires cut and insulators smashed at station.
	Wazirabad.—Telegraph wires near *dâk* bungalow destroyed. Telegraph wires near Palku bridge cut; distant signals damaged and bridge set on fire, Wires cut near civil hospital. Gang hut near Nizamabad burnt; railway bridges and level crossing gates damaged. House of Rev. Grahame Bailley burnt and looted. Telegraph wires cut at 24 places between Wazirabad and Sialkot. Telegraph wire cut and insulators smashed between Wazirabad and Mansurwali.
16th April 1919 . .	*Aulakh.*—Patwari's records burnt.
	Dhaban Singh railway station.—Railway bridge burnt permanent way damaged and telegraph wires cut in several places.
	Station office burnt and safes looted.
	Wire cut at Machhiki and Muridke.
	Moman railway station looted and burnt and all telegraph wires cut.
	Telegraph wire on Lahore line cut at Sangla.
19th April 1919 . .	Wire cut at Muridke.
	Lyallpur District.
15th April 1919 . .	Wires cut and pulled down between Sangla and Salarwala.
16th April 1919 . .	Canal telegraph wire cut 9 miles from Lyallpur and traffic interrupted.
17th April 1919 . .	A stack of 24,000 maunds of *bhusa* worth Rs. 50,000 belonging to Government burnt (presumably by accident).
	Thirty telegraph insulators broken and wires cut near Gatti.
17th April 1919 . .	Telegraph wires cut and post uprooted near Abbaspur station.
18th April 1919 . .	Telegraph poles overturned and wires cut between Toba Tek Singh and Janiwala; line damaged. Seven insulators broken between Gatti and Chak Jhumra.
19th April 1919 . .	All wires cut at 3 separate spots between Janiwala and Toba Tek Singh. 120 insulators broken. 2 posts uprooted and wires thrown out of level.
	Gujrat District.
15th April 1919 . .	Telegraph and telephone instruments and furniture destroyed and records burnt at Gujrat railway station.
	Telegraph wires cut in two places at Jalapur Jattan.
	Medical pannier destroyed at Gujrat railway station.

Date.	Nature of damage.
16th April 1919 . .	*Malakwal.*—Telegraph wires cut and distant signal lamps removed. Rails removed causing the derailment of a train.
	Gurdaspur District.
13th April 1919 . .	Telegraph wires cut between Batala and Chhina and Jaintipura and between Gurdaspur and Dhariwal.
14th April 1919 . .	Wires cut and 900 feet of wire stolen between Aliwal and Kanjur.
	Telegraph wires cut and several hundred feet of wire stolen between Dhariwal and Kanjur.
	Permanent way sleepers near Pathankot station fired.
	Telegraph wires cut at Sohal.
15th April 1919 . .	Wires cut and 200 feet stolen near Tibri.
17th April 1919 . .	Telegraph wires between Chhina and Dhariwal cut; 1,200 feet of wire removed.
	Canal wire at Ghazikot cut and 200 feet of wire removed.
18th April 1919 . .	Canal wire cut at Chuhan.
	Wire cut between Chhina and Dhariwal.
19th April 1919 . .	Wires cut and post broken 13 miles from Pathankot on the Dalhousie road.
21st April 1919 . .	Wires cut and insulators broken between Sujanpur and Madhopur.
25th April 1919 . .	Wire cut and 900 feet of wire removed on the Aliwal canal.
	Jullundur District.
12th April 1919 . .	Telegraph wires cut between Nurmahal and Nakodar and insulators broken.
13th April 1919 . .	Fire in a military office.
16th April 1919 . .	Number of wires cut and insulators broken just outside Cantonments.
	Wire cut in two places between Nakodar and Jhahalki.
17th April 1919 . .	Telegraph wires cut at Bir Pind and Litran near Nakodar.
18th April 1919 . .	Wire cut at Husainabad (near Nakodar).
	Sidhwan flag station (near Nakodar) burned down, but doubtful if this is due to outside agency.
21st April 1919 . .	Railway lines cut at Jullundur-Bilga.
	Kangra District.
20th April 1919 . .	Telegraph wires cut on the Pathankot-Nurpur road at Chakki bridge.
	Ambala District.
13th April 1919 . .	All telegraph wires cut near Berara railway station.
19th April 1919 . .	Store burnt in the regimental lines, Depôt, 1-34th Sikh Pioneers.
22nd April 1919 . .	Office of Depôt, 1-34th Sikh Pioneers, burnt.

Date.	Nature of damage.
	Rohtak District.
15th April 1919 .	. Canal and postal wires cut between Rohtak and Samar Gopalpur.
	Gohana.—Postal telegraph wires and post damaged.
	Rohtak.—Railway telegraph wires cut at mile 357.
20th April 1919 .	. Canal wire cut near Jat High School.
	Mianwali District.
15th April 1919 .	. Telegraph wires cut at Kundian.
17th April 1919 .	. Telegraph wires cut on the line towards Massan near Daukhel railway station.
	Jhelum District.
16th April 1919 .	. Passenger train derailed near Kala station as the result of the removal of a rail by some railway men.
	Sialkot District.
14th April 1919 .	. Telegraph wires cut between Sialkot and Wazirabad.
15th April 1919 .	. Telegraph wires cut in two places near Begowala, Ghartal.
16th April 1919 .	. Two fish-plates removed from a railway line at Sialkot.
18th April 1919 .	. Telegraph wires cut at Begowala.
19th April 1919 .	. Wires cut between Sialkot and Wazirabad.
	Hoshiarpur District.
21st April 1919 .	. Railway telegraph wires cut near Dasuya.
	Shahpur District.
18th-19th April 1919 .	A fire which did some damage occurred on the railway platform, Sargodha station, but was probably not due to incendiarism.
	Rawalpindi District.
15th April 1919 .	. Telegraph wires cut between Rawalpindi and Murree.
	Multan District.
28th April 1919 .	. Case of incendiarism in office of 2-72nd Punjabis (origin doubtful).
	Patiala State.
18th April 1919 .	. Wires cut between Rouan and Shergarh.
	Bahawalpur State.
14th April 1919 .	. Telegraph wires cut at Bahawalnagar.
2nd May 1919 .	. Telegraph wire cut between Minchinabad and MacLeodganj.

Approximate value of damage done to property, Punjab.

	Rs.
Amritsar district	16,97,511
Lahore „	1,44,568
Gujranwala „	6,04,422
Lyallpur „	52,900
Gujrat „	29,090
Gurdaspur „	1,580
Jullundur „	1,820
Kangra „	200
Amballa „	100
Rohtak „	100
Mianwali „	360
Jhelum „	22,420
Sailkot „	Estimate not available.
Hoshiarpur „	
Shahpur „	
Rawalpindi „	
Multan „	
Patiala State	
Bahawalpur State	
TOTAL	25,55,071

MAP
OF
DELHI CITY

Scale—1 Inch = 2 Miles.

Miles.

KEY.

(1) Railway Station and Clarke Gate (2) Clock Tower (3) Chandni Chowk and Ballimaran	Riot and firing
(4) King Edward Memorial Park	Riot only

Photo, Zinco. February, 1920.—No. 293-4-1000

MAP OF

AHMEDABAD CITY.

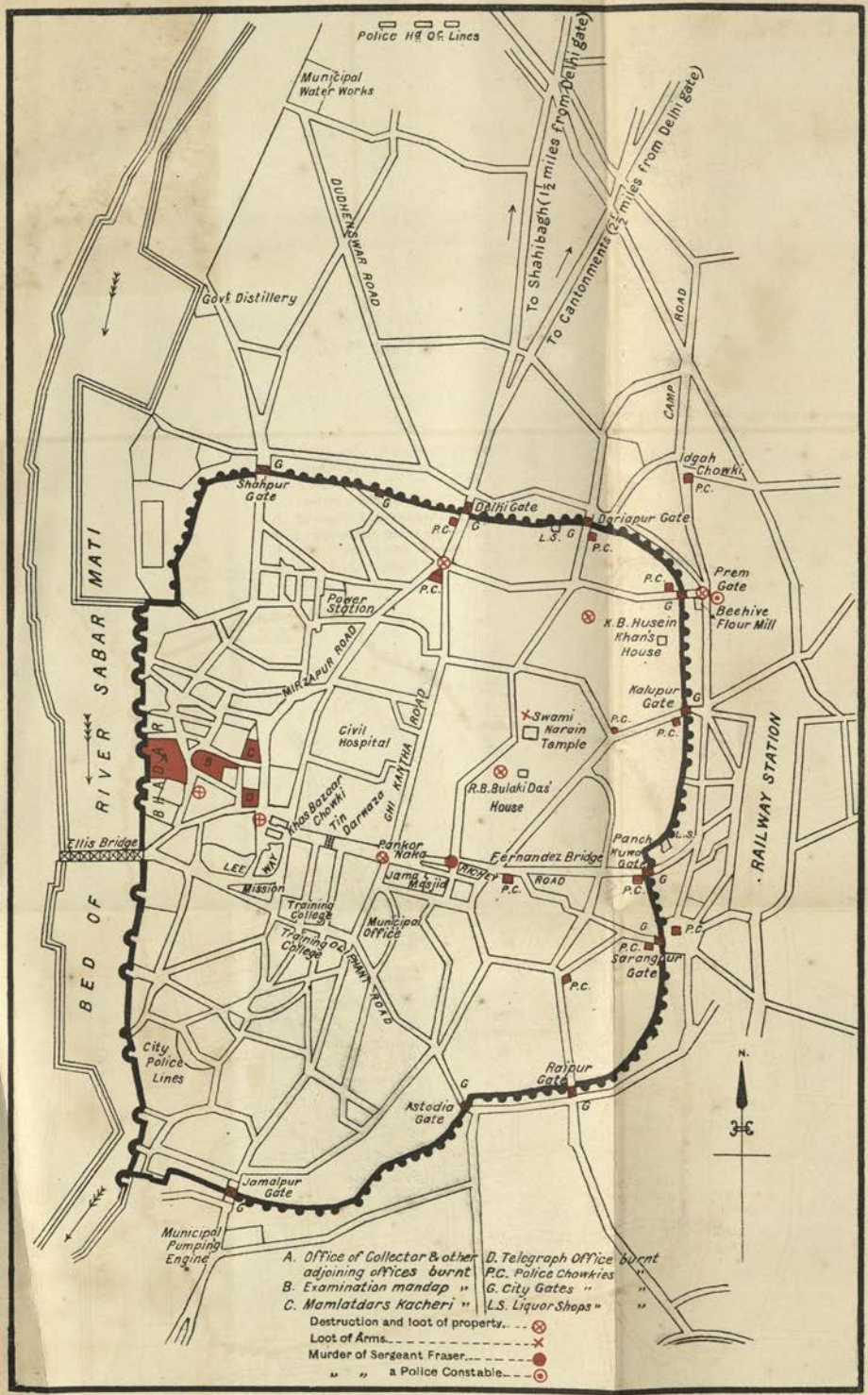
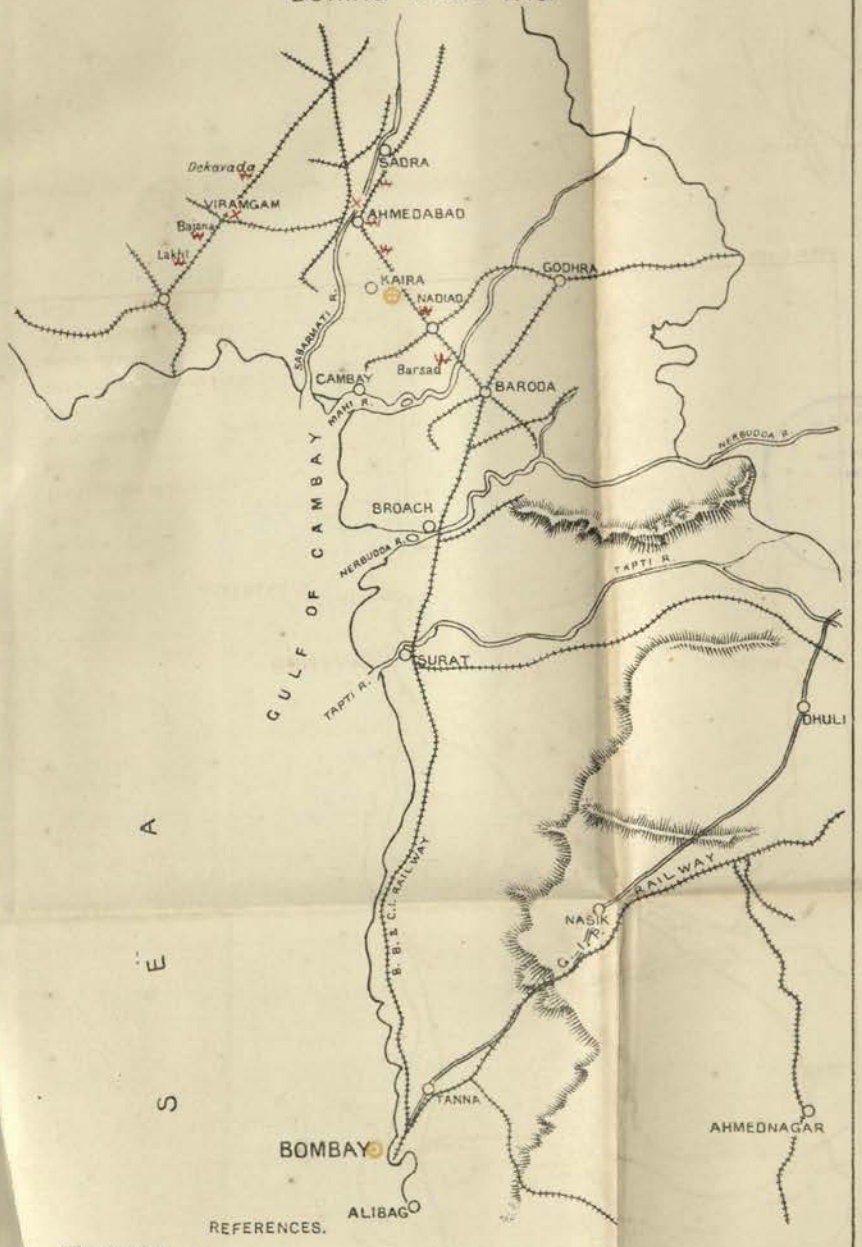


Photo. Zinco. February, 1920.—No.1182-6-5000

MAP
OF
A PORTION OF THE BOMBAY PRESIDENCY
SHOWING THE PLACES
WHERE DISORDERS TOOK PLACE
DURING APRIL 1919.



REFERENCES.

- Wire-cutting — W
- Murder
- Riot
- Destruction of property
- Looting
- Wire-cutting
- Firing

(Murder, Riot, Destruction of property, Looting, Wire-cutting, Firing — X)

- Derailment of troop train
- Wire cutting
- Destruction of property

(Derailment of troop train, Wire cutting, Destruction of property — ⊙)

- Riot — ⊙

1182-3-5000

MAP OF AMRITSAR CITY.

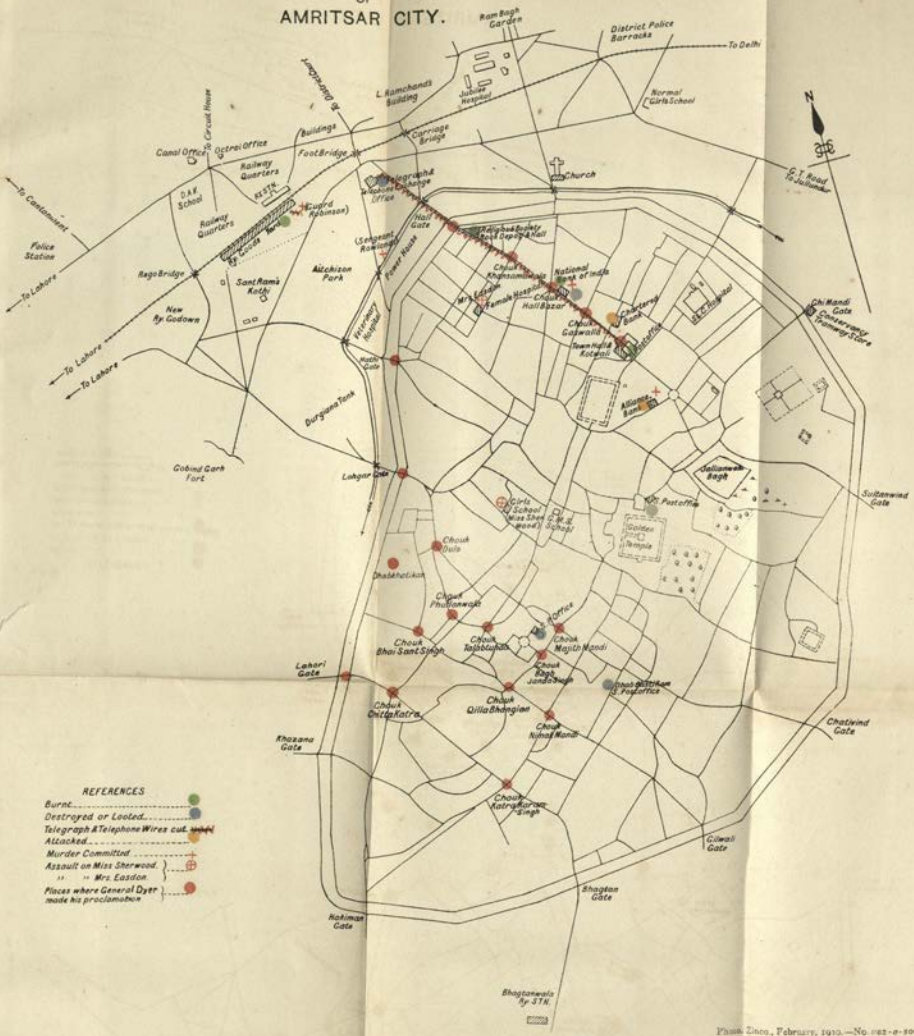


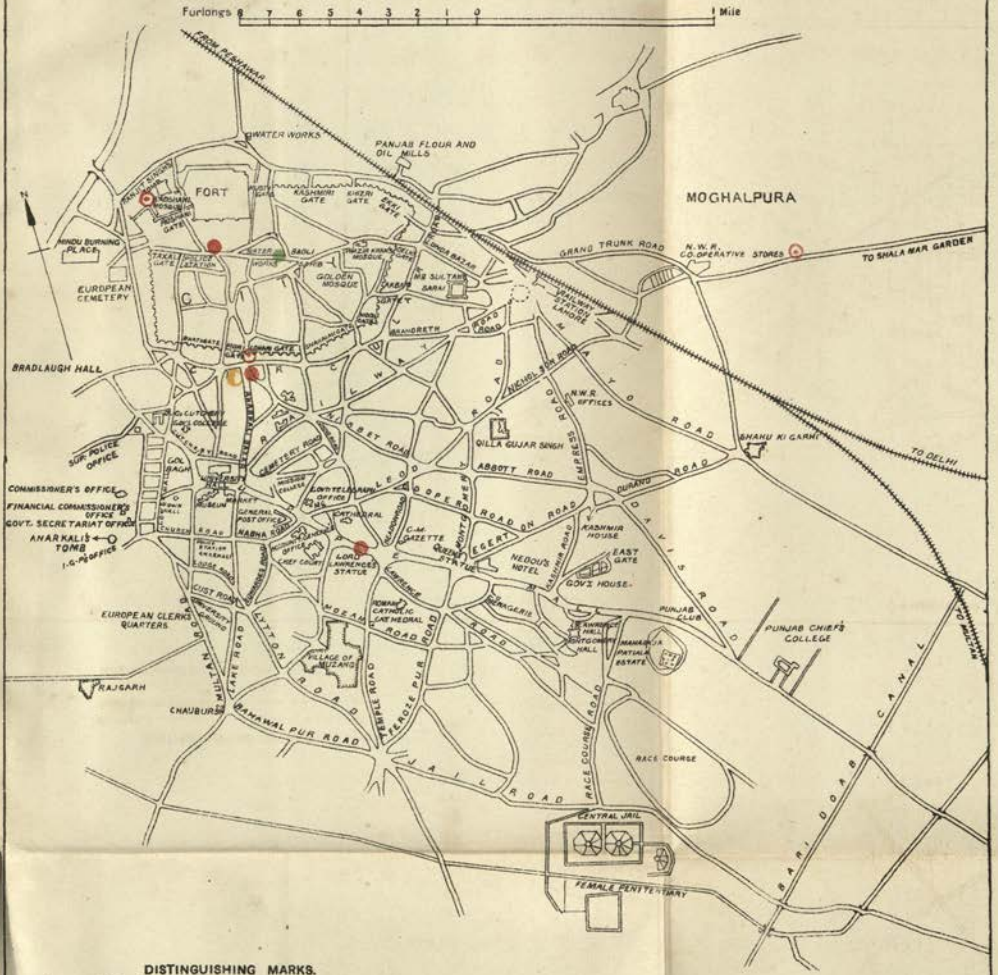
Photo. Zinco., February, 1920.—No. 1182-a-5000

Photo. Zinco., February, 1920.—No. M82-4-5000

PLAN OF
LAHORE

Scale of Miles.

Furlongs 8 7 6 5 4 3 2 1 0 1 Mile



DISTINGUISHING MARKS.

- Firing
- Assaults on officials
- Arson
- Destruction of King Emperor's photo

No. 1182-5000

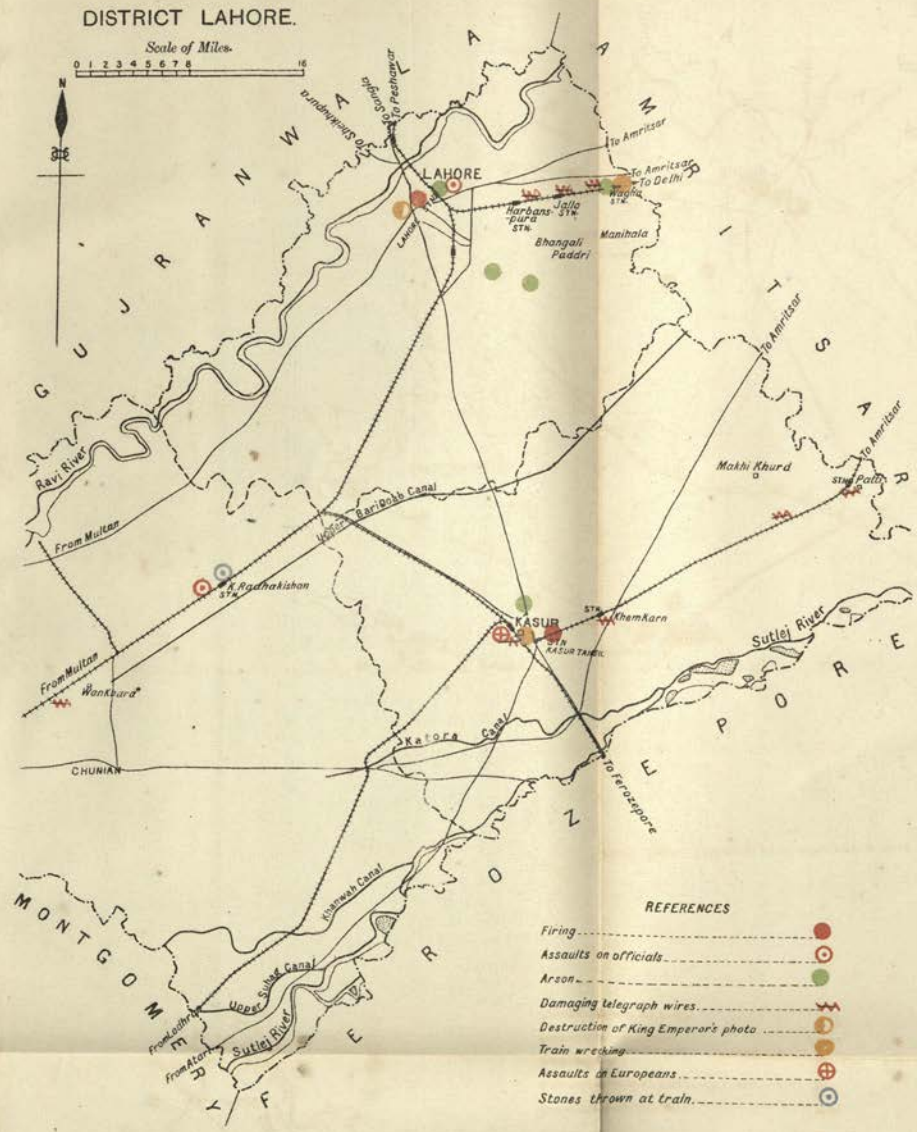


Photo. Zinco., February, 1920.—No. 1182-2=5000

MAP
OF
GUJRANWALA
CITY AND CIVIL LINES.

REFERENCES.

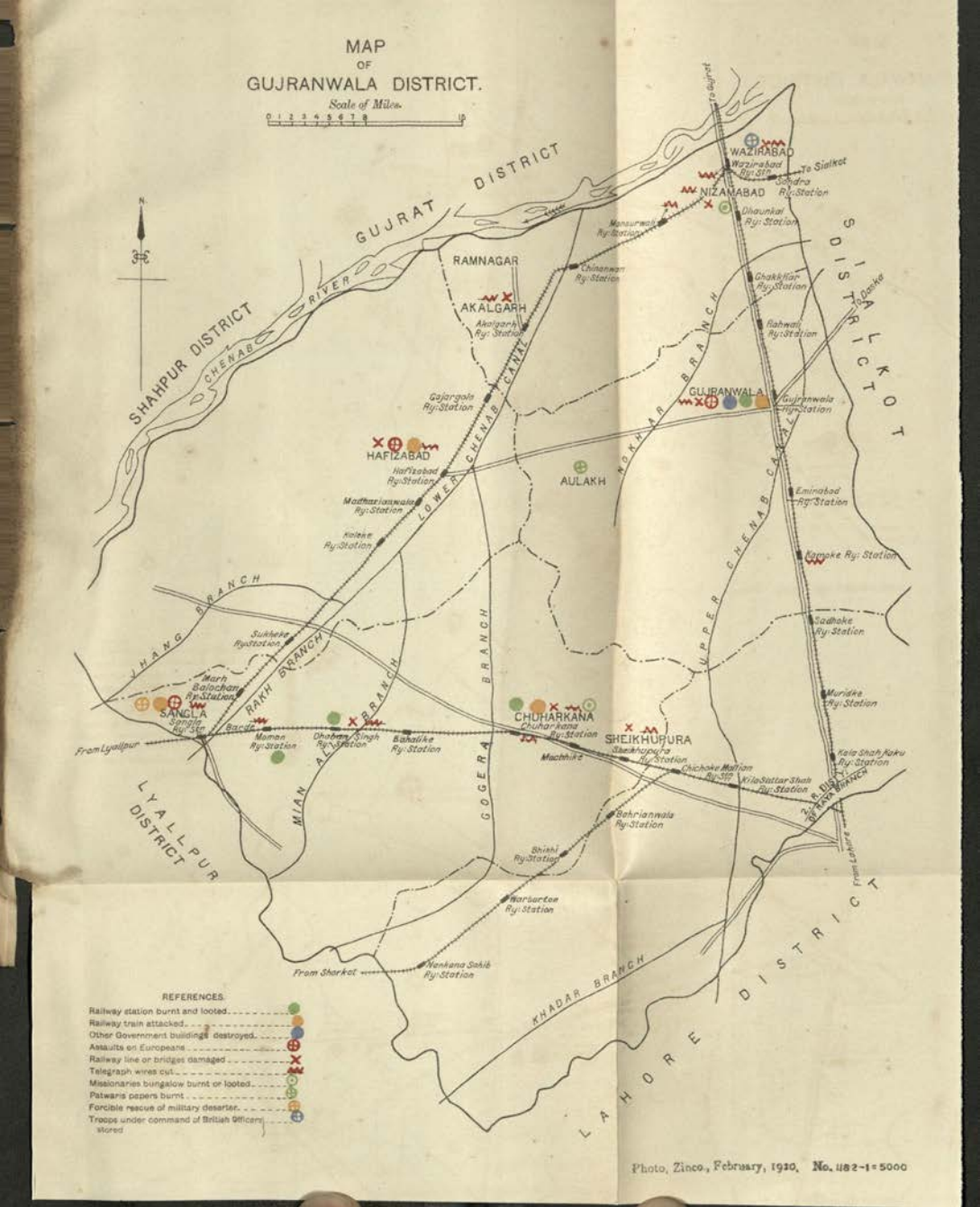
Burnt .....

Destroyed or Looted .....

Telegraph Wires cut .....

Places where bombs dropped. .....

Photo. Zinco., February, 1920.—No. 1182-1-5000



Photo, Zinco., February, 1920. No. 1182-1=5000

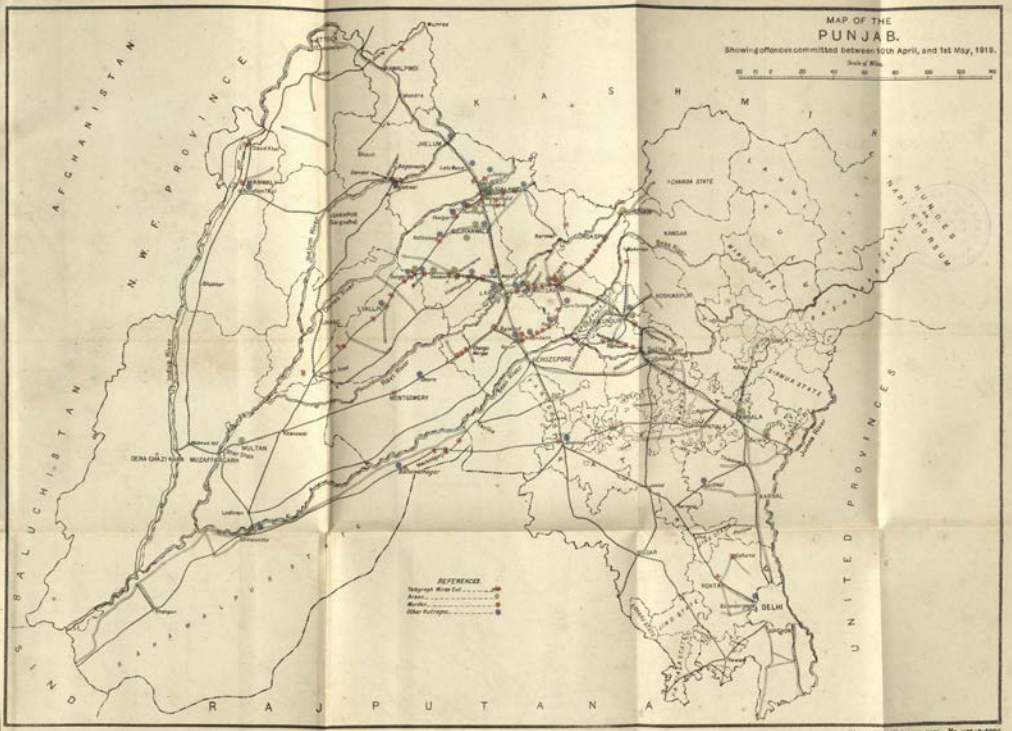


Photo. Zinco. February, 1920.—No. 1182-2/5000

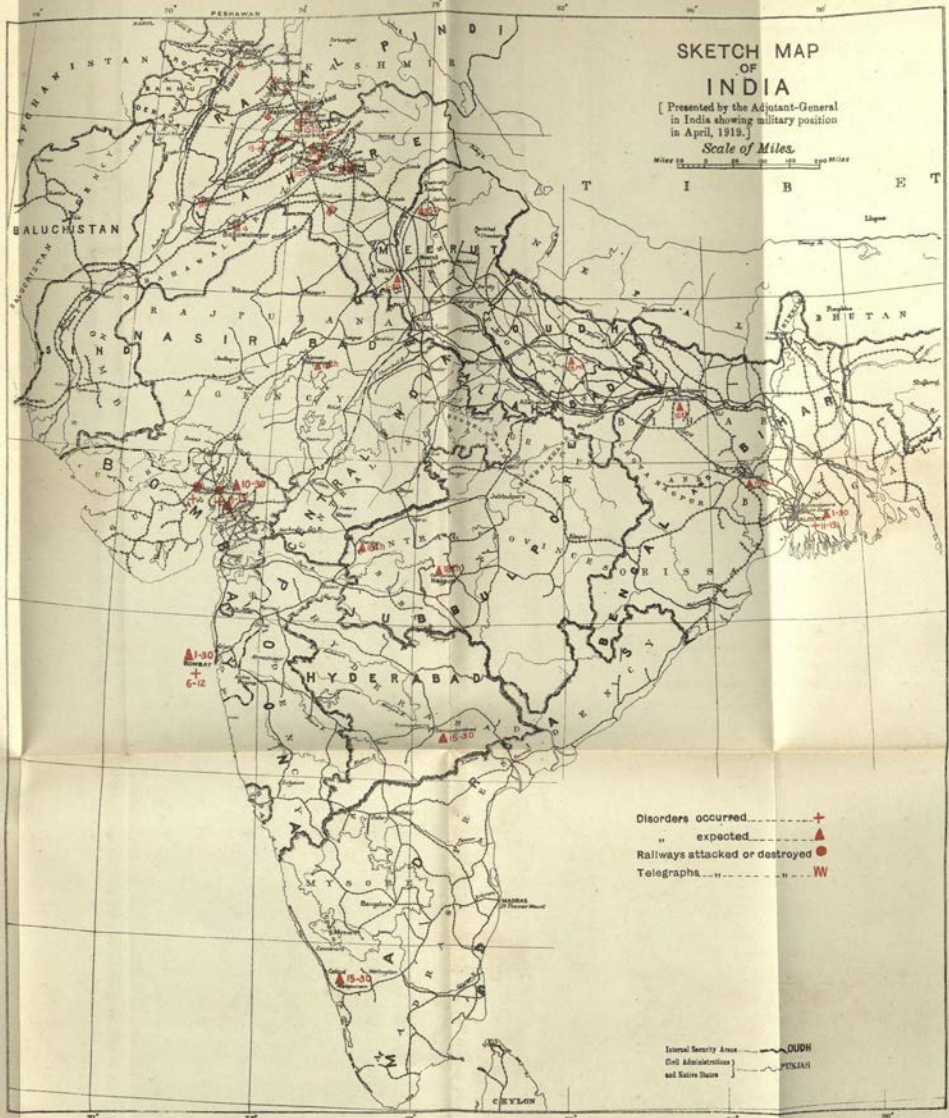
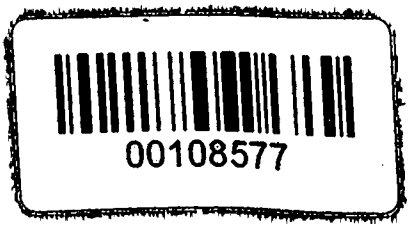


Photo. Zinco. February, 1920.—No. 182-10-5000

CALCUTTA
SUPERINTENDENT GOVERNMENT PRINTING, INDIA
8, HASTINGS STREET



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